

STATE DEPARTMENT INFORMATION PROGRAM—
INFORMATION CENTERS

HEARINGS

BEFORE THE

PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

FIRST SESSION

PURSUANT TO

S. Res. 40

PART 6

MAY 6 AND 14, 1953

Printed for the use of the Committee on Government Operations



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1953

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STATE DEPARTMENT INFORMATION³ PROGRAM— INFORMATION CENTERS

WEDNESDAY, MAY 6, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met (pursuant to S. Res. 40, agreed to January 30, 1953) at 10:30 a. m., in room 318 of the Senate Office Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Charles E. Potter, Republican, Michigan; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Roy Mr. Cohn, chief counsel; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will come to order.

May I say that we this morning will hear from a number of authors who were used by the information program and who have allegedly Communist connections.

This perhaps will wind up this particular phase of the investigation. We are not attempting to call all of those authors who are either Communists or allegedly Communists. It would be just an unlimited task, I think. But I think with what we produce this morning we will have a good cross section of the type of Communists and alleged Communists who were used in the information program.

I perhaps should make it clear at this time again that these individuals were not hired, their works were not purchased, since Mr. Dulles took over. They were part of the old Acheson information program.

Who is your first witness, Mr. Cohn?

Mr. COHN. Mr. Millen Brand.

The CHAIRMAN. Mr. Brand?

You were before us yesterday, Mr. Brand, and certain questions came up. At that time you felt that you would want to have a lawyer with you. We recessed the hearing so that you could obtain a lawyer. I see you do not have a lawyer this morning. You decided not to have a lawyer?

TESTIMONY OF MILLEN BRAND

Mr. BRAND. That is right.

The CHAIRMAN. Will you speak a little louder? And speak into the microphone, if you will.

Mr. BRAND. Yes.

The CHAIRMAN. You understand that you have a right to have a lawyer here with you. And, if you have one, you have a right to consult with him at any time and get advice as freely as you care to. You understand that, do you not?

Mr. BRAND. Yes, sir.

The CHAIRMAN. Mr. Cohn, do you care to question the witness?

Mr. COHN. Mr. Chairman, I think I ought to call to your attention the fact first that three of Mr. Brand's books were in use by the State Department Information Program at the commencement of our investigation last month. The books were The Heroes, Niebla, and The Outward Room.

The CHAIRMAN. How many copies of those books, and how many different information centers, Mr. Cohn?

Mr. COHN. We don't know that. I know of at least six information centers in which they are in use.

The CHAIRMAN. In other words, they are three different works of this man. But how many copies of each book?

Mr. COHN. We don't have an exact figure on that. We know that these 3 are in use, that they are in 6 information centers, but we don't know how many copies are in each information center.

The CHAIRMAN. I understand that you requested that information from the State Department, and they are cooperating with you fully, and that they will supply the information but have not been able to do that yet.

Mr. COHN. That is correct, Senator.

The CHAIRMAN. Because you have asked for that information on a number of books, and you have received full cooperation from them.

Mr. COHN. Yes, sir.

The CHAIRMAN. Will you give us your full name?

Mr. BRAND. Millen Brand.

The CHAIRMAN. How do you spell that?

Mr. BRAND. The first name is M-i-l-l-e-n. The last name is Brand, B-r-a-n-d.

The CHAIRMAN. And what is your occupation as of today?

Mr. BRAND. Editor and writer.

The CHAIRMAN. Editor and writer?

Mr. BRAND. Yes.

The CHAIRMAN. Are you head of a publishing house today?

Mr. BRAND. No; I am an editor at Crown Publishers.

The CHAIRMAN. An editor at Crown Publishers?

Mr. BRAND. That is right.

The CHAIRMAN. I wonder if I could ask you to speak a little louder, if you will.

What is your particular job at Crown Publishers?

Mr. BRAND. I am fiction editor.

The CHAIRMAN. And we find that three of your books were purchased by the old State Department, distributed to a certain number of information centers, allegedly for the purpose of fighting communism. Will you tell us whether you were a member of the Communist Party at the time these books were written?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Might I say that those are actually only two titles, because Niebla is a Spanish translation of The Outward Room.

The CHAIRMAN. The question is: Were you a member of the Communist Party at the time you wrote those books?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. Will you please speak a little louder, sir?

Mr. BRAND. I will try to; yes.

The CHAIRMAN. You are the first quiet-spoken member of the party I have found for some time. Will you try and speak louder?

Were you a member of the party at the time you wrote these books?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. On the ground that the answer might incriminate you?

Mr. BRAND. Yes, sir.

The CHAIRMAN. You understand, Mr. Brand, that you are only entitled to refuse if you honestly think that a truthful answer would incriminate you.

Mr. BRAND. Yes, sir.

The CHAIRMAN. If you feel that committing perjury might incriminate you, you are not entitled to refuse to answer. It is only if you honestly feel that if you told us whether you were a member of the Communist Party, and told us the truth, that might tend to incriminate you.

Mr. BRAND. Yes, sir.

The CHAIRMAN. I understand that you honestly feel that might tend to incriminate you.

Mr. BRAND. Yes, sir.

The CHAIRMAN. May I ask you this. Do you carry a Communist card with the number 79352?

Mr. BRAND. I refuse to answer on the same grounds.

The CHAIRMAN. Do you have a card on your person today?

Mr. BRAND. I refuse to answer on the same grounds.

The CHAIRMAN. You refuse to answer whether you have on your person today a Communist card bearing the number 79352?

Mr. BRAND. Yes, sir.

The CHAIRMAN. On the ground that if you told the truth it might tend to incriminate you?

Mr. BRAND. Yes, sir.

The CHAIRMAN. Have you ever engaged in espionage, Mr. Brand?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. Have you ever engaged in espionage with a Mr. Arthur Adams?

Mr. BRAND. I refuse to answer on the same grounds.

Senator JACKSON. Did you ever engage in larceny?

Mr. BRAND. No, sir.

The CHAIRMAN. That is interesting.

You may proceed, Mr. Cohn.

Mr. COHN. Now, Mr. Brand, when you wrote these two books which were in use in the State Department information program—

The CHAIRMAN. May I explain my comment, "that is interesting"? The witness, in answer to Mr. Jackson's question, was very free to say he had never committed larceny, but when asked whether he had committed espionage against the United States, he tells us he can-

not answer that, because if he did the answer would incriminate him. The inference, of course, is very clear that the witness has been engaging in espionage.

I think, Mr. Cohn, you should develop at least some of the contacts he has had with known espionage agents, this man whose works are being used or were being used by the old State Department allegedly to fight communism.

Senator JACKSON. Mr. Brand, you feel free to say that you are willing to answer the question on larceny. Why do you not show your good faith before this committee and state whether or not you did or did not, or have not in the past, engaged in espionage? Do you think that espionage is not a crime, but that larceny is something you feel free to talk about; that as to espionage, treason, that is something to which you are going to rely on your constitutional rights?

Mr. BRAND. Well, I can see the drift of your remarks, but I think I should still rely on my constitutional rights here.

The CHAIRMAN. May I say, Senator Jackson, that I think he has the right to refuse to answer on the ground that no man need convict himself, and especially so in view of the information which we have on this man. We know that the number of his party card is 79352. We know that he has been in the party for at least 15 years, and apparently up to this present date all the information is that he was a member of the Communist Party at the time he wrote books for the information program. He has had a great number of espionage contacts. And I think if he were forced to answer whether he had engaged in espionage or not, he might either be guilty of perjury or there might be an espionage case against him.

I might say this. The rule originally was for the purpose of protecting the individual. We find Communist witnesses now using it to protect the Communist conspiracy. It is an abuse of the privilege. However, I think under our law he is entitled to invoke the privilege.

Senator JACKSON. Mr. Chairman, both of us as lawyers know that he has that right. The only point I am making here: At least we have pretty well defined the type of Communist this individual is. He is not a philosophical Communist who believes in communism as an ideal, but he has gone beyond that, to indicate that he is all-out, that he is not only, by implication, a member of the Communist Party, but one who is or has been engaged in espionage. So that he cannot hide under the cloak of being an idealistic Communist, but he is one who apparently, by his exercise of a constitutional right against self-incrimination, has made it pretty clear that anything he might say in connection with that Communist membership might involve him in espionage, which puts him, if there is a difference in categories of Communists, as a case where he is an all-out member.

The CHAIRMAN. Right.

Mr. Brand, might I ask you this question in connection with what Senator Jackson has just said. Do you think that if you were trying to fight communism, and you were in Acheson's State Department, you would have bought the books of a man who himself is a member of the Communist Party, who refuses to answer whether he is engaged in espionage? Would you think that would be a good way to spend the taxpayers' money in fighting communism? Would you rather not answer that also?

Mr. BRAND. I would rather not answer.

The CHAIRMAN. I guess you are entitled to refuse.

Senator POTTER. Mr. Brand, do you have any idea how your books happened to be selected by the Information Service?

Mr. BRAND. If I answer that question, would I lose my privilege?

Senator POTTER. Pardon?

Mr. BRAND. If I answer that question, do I lose my privilege under the fifth amendment?

The CHAIRMAN. If you think the answer might tend to incriminate you, if you think the books were selected by some Communist friend of yours, you are entitled to refuse to answer.

Mr. BRAND. What was the question again, sir?

Senator POTTER. If you have any idea as to how your books happened to be selected for use by our Information Service. And when I say "our Information Service," I mean the former Department of State.

Mr. BRAND. Well, if I answer that, as I understand, I don't lose my privilege under the fifth amendment?

Senator POTTER. It all depends on what your answer is, of course. I do not know. You are the judge of that.

The CHAIRMAN. I gather you are asking for some legal advice. Since you do not have a lawyer here, I will give it to you. Your question is: If you answer that, will you still be entitled to answer other questions which you think might tend to incriminate you by invoking your privilege?

Mr. BRAND. Right.

The CHAIRMAN. The answer is: You do not lose the privilege by answering any question.

Mr. BRAND. Thank you.

The CHAIRMAN. You can only refuse to answer those questions which you think might incriminate you if you told the truth, and any other questions you must answer. There is no way of losing the privilege before a committee.

Senator POTTER. Do you care to answer the question?

Mr. BRAND. Yes; I will answer the question.

The CHAIRMAN. What is the answer?

Mr. BRAND. Could I have the question repeated?

Senator POTTER. I say: Do you have any idea why the State Department Information Service selected your books?

Mr. BRAND. No; I do not, sir.

The CHAIRMAN. Do you know of any Communists who were in the information program at the time your books were selected, at the time your books were purchased?

Mr. BRAND. I believe I should refuse to answer that.

Senator POTTER. Did you know that your books were being used by the Information Service?

Mr. BRAND. What is this Information Service?

Senator POTTER. Well, that is an arm of our State Department which is for the purpose of supplying information to fight communism overseas.

Mr. BRAND. Is this the Voice of America?

Senator POTTER. The Voice of America is part of it. Your books were used in their library service. Now, did you have knowledge that your books were so being used?

Mr. BRAND. Again I can answer this question without losing privilege, I take it.

Senator POTTER. Yes.

Mr. BRAND. No; I did not have knowledge that they were used, that I can recall.

Senator POTTER. How old a man are you, Mr. Brand?

Mr. BRAND. Forty-seven.

Senator POTTER. I assume you were very much opposed to fascism, all forms?

Mr. BRAND. This, again, I take it, is a question that does not interfere with——

Senator POTTER. If I have to serve as your counsel, I must charge you a fee.

Mr. BRAND. Well, I might agree to pay for it.

The CHAIRMAN. What was the question?

Senator POTTER. I asked Mr. Brand if he was opposed to fascism, in all forms.

Mr. BRAND. Yes; I was.

Senator POTTER. You were, and you are, I assume.

Mr. BRAND. Yes.

Senator POTTER. And I assume you are opposed to totalitarianism in all forms?

Mr. BRAND. Yes, sir; I am.

Senator POTTER. Then I assume that you oppose Soviet communism.

Mr. BRAND. I think I should invoke the fifth amendment on that.

The CHAIRMAN. It is not a question of whether you think you should invoke the fifth amendment. The only ground upon which you can refuse is to refuse on the ground that if you tell the truth that would incriminate you.

Mr. BRAND. I so refuse.

Senator POTTER. Did you serve in the Armed Forces in the fight against fascism and nazism in World War II?

Mr. BRAND. No, sir.

Senator POTTER. What was your draft status?

Mr. BRAND. I was rejected on physical grounds.

Senator POTTER. You would have served, I assume, if you were able to?

Mr. BRAND. Yes, sir.

Senator POTTER. I assume that you would serve your country whenever your country needed you?

Mr. BRAND. Yes, sir.

Senator POTTER. I assume that if you could serve in the fight against communism in Korea, you would do that too?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. You refuse to answer whether you would fight if you were called today, in the present war in Korea against the Communists? You refuse to answer?

Mr. BRAND. Well, might I say that with a line of questioning of this sort, you can, you know, go on to a series of questions, and then the questions that you don't answer will leave, I think, a false impression of what my convictions may be.

The CHAIRMAN. If there is any false impression created, it will be created by you, Mr. Brand. We are asking you some very simple

questions. The question Senator Potter asked was: Would you serve in Korea today in the fight against Communists if you were drafted? It is a very simple question.

Mr. BRAND. All right. Well, I refuse to answer that question on the grounds of the fifth amendment.

The CHAIRMAN. You do not think the committee is creating any false impression by asking you that question, do you? I might say you are creating a very true impression of your activities, I think, in the mind of any reasonable man.

Mr. BRAND. Well, there may be a difference of opinion on that, Senator.

Senator JACKSON. Suppose a state of war exists, should exist, in the future, between this country and the Soviet Union, as provided for under the Constitution, and you were called upon to serve this country. Would you serve?

Mr. BRAND. I refuse to answer, on the grounds of the fifth amendment.

Senator JACKSON. Have you engaged in any treasonable activities?

Mr. BRAND. I refuse to answer, on the grounds of the fifth amendment.

The CHAIRMAN. Is this the first time you were ever called before a committee?

Mr. BRAND. Yes, sir.

The CHAIRMAN. Do you think that it would be well if we were to impose communism, or rather a Communist form of government, in this country, by the use of force and violence?

Mr. BRAND. I refuse to answer, on the grounds of the fifth amendment.

The CHAIRMAN. Do you think your books distributed in information libraries in various parts of the world would be effective in fighting communism?

Mr. BRAND. I refuse to answer, on the same grounds.

The CHAIRMAN. You refuse to answer that.

Senator POTTER. Do you consider yourself a good, loyal American citizen?

Mr. BRAND. Yes, sir; I do.

Senator POTTER. And yet you refuse to tell the committee whether you would serve your country in fighting communism in Korea?

Mr. BRAND. Yes, sir; I do.

Senator POTTER. You know, there are a lot of men being called to fight communism in Korea, and they are not asked whether they would care to do it or not.

Mr. BRAND. That is true, sir.

Senator POTTER. And you claim that you are a loyal American citizen. You refuse to tell the committee whether you would fight for your country in a war in which we are now engaged. You refuse to tell the committee whether you have engaged in espionage against the United States.

Senator JACKSON. And treasonable activities against the United States.

Senator POTTER. And treasonable activities against the United States. And you have the gall to sit there and tell me that you are a good, loyal American citizen.

Mr. BRAND. That is my honest conviction, Senator.

The CHAIRMAN. I do not think we should waste any time on this. Mr. COHN, do you have some questions?

Mr. COHN. Mr. Brand, when you wrote these books which have been in use in the State Department Information Service program, were you in consultation with any members of the Communist Party, particularly the literary branch?

Mr. BRAND. I refuse to answer, on the grounds of the fifth amendment.

Mr. COHN. I want to ask you this. The chairman asked you whether or not you had engaged in espionage with Arthur Adams, and you declined to answer.

The CHAIRMAN. Will you get your microphone closer to you? It is hard for us to hear you.

Mr. COHN. I have reference, of course, to the situation involving Arthur Adams and some others and a number of scientists, and the theft of some information concerning atomic energy, things along those lines, and their transmittal to the Soviet Union. I am going to ask you whether or not you knew a man named Arthur Adams before he left for the Soviet Union.

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Mr. COHN. Do you know a man by the name of Julius Hyman?

Mr. BRAND. I refuse to answer, on the same grounds, sir.

Mr. COHN. You refuse to tell us whether you were a member of the Communist Party when you wrote these books, and whether or not you are a member of the Communist Party today. Is that right?

Mr. BRAND. Yes, sir.

Mr. COHN. Have you ever stood for the overthrow of the United States Government by force and violence?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Mr. COHN. What is the nature of your duties at Crown Publishers as editor?

Mr. BRAND. I select and edit and prepare manuscripts.

Mr. COHN. You have a voice in what books should be printed?

Mr. BRAND. Not a decisive voice.

Mr. COHN. Not a decisive voice, but a voice; is that right?

Mr. BRAND. That is right.

Senator POTTER. Does the publisher know of your philosophy of government? Does he know that you are a member of the Communist Party?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Mr. COHN. Have you ever written any book reviews?

Mr. BRAND. Some; yes.

Mr. COHN. For what publications?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. Just a minute. I do not think that comes within your privilege. Yes, on second thought, I believe if you wrote for a Communist publication, you might be entitled to the privilege.

Mr. COHN. Did you ever write for the New Masses?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Mr. COHN. Did you ever do any writing for the Daily Worker?

Mr. BRAND. I refuse to answer on the same grounds.

Mr. COHN. I think it is a matter of public record that you have written reviews for the Saturday Review of Literature, have you not?

Mr. BRAND. Am I privileged to answer that without losing my privilege in this category?

Mr. COHN. Yes.

Mr. BRAND. Yes; I have.

The CHAIRMAN. May I ask the advice of our counsel here and the other Senators? I think we have the power to subpoena any documents which the witness has with him. I have good reason to believe that he has on his person as of this moment a card in the Communist Party, No. 79352. I am not sure whether that would be an invasion of his right under the fifth amendment or not to subpoena the document.

Senator JACKSON. He is testifying, then, against himself.

The CHAIRMAN. I am inclined to think so; yes.

Senator JACKSON. I think the privilege extends to documents that would incriminate him.

The CHAIRMAN. What would your thought be on that, Senator? I am inclined to think Mr. Jackson is right.

Senator SYMINGTON. I am inclined to think so, too, Mr. Chairman.

The CHAIRMAN. Senator Symington, do you have some questions to ask?

Senator SYMINGTON. I am sorry I came in late. Yesterday you said you wanted to get a lawyer. Did you get a lawyer?

Mr. BRAND. No, sir.

Senator SYMINGTON. Did you decide you did not need a lawyer?

Mr. BRAND. Well, I didn't bring a lawyer.

The CHAIRMAN. I think we should inquire whether he talked to a lawyer since then.

Senator SYMINGTON. Did you have a chance to talk to a lawyer yesterday?

Mr. BRAND. I did talk to a lawyer.

Senator SYMINGTON. But I think the idea was that we were not going to question you further until you had a chance to talk with a lawyer. And your discussion this morning is after your discussion with that lawyer. Is that right?

Mr. BRAND. Well, actually, I just discussed whether I would have counsel. I was not advised as to how to handle myself.

Senator SYMINGTON. Now, could I ask you just a couple of questions? Do you think you are a good American?

Mr. BRAND. Yes, sir.

Senator SYMINGTON. Could you be a good American and be in an organization that is dedicated to overthrowing the United States Government?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Senator SYMINGTON. If you were a Communist in the past, that is understandable, but how could you be a good American and be a Communist now?

Mr. BRAND. I refuse to answer on the grounds of the fifth amendment.

Senator SYMINGTON. Well, if you left the Communist Party, why are you not glad and proud to say that you did it, with us fighting

the Communists in Korea? Why are you ashamed of it, or afraid to answer?

The CHAIRMAN. May I say, Senator, there is no indication that he has ever left the party. He has refused to answer whether as of today he is carrying a Communist card. We gave him the number of his card.

Mr. BRAND. This, I take it, is a matter of the right of privacy. I think I should invoke that.

The CHAIRMAN. If that is the ground upon which you invoke it, you must answer the question.

Mr. BRAND. No; I invoke it on the grounds of the fifth amendment.

The CHAIRMAN. Self-incrimination?

Mr. BRAND. Yes, sir.

Senator SYMINGTON. So that even though you may have been a Communist and you are a good American in your opinion, you still will not answer and tell us whether you are a Communist now. Is that right?

Mr. BRAND. Yes, sir.

Senator SYMINGTON. That is all, Mr. Chairman.

Senator POTTER. Do you think it has been a prudent use of the taxpayers' money to purchase your books to use in our Information Service library?

Mr. BRAND. I refuse to answer that on the same grounds.

The CHAIRMAN. I doubt whether we should waste any more time with this witness.

Senator JACKSON. Just one question, Mr. Chairman.

You are familiar with the present Russian Government and the constitutional provisions that are accorded as to rights of citizens in the Soviet Union?

Mr. BRAND. I won't lose privilege if I answer that. I take it?

Senator JACKSON. You will not lose it as to other questions; of course not.

The CHAIRMAN. You can only refuse to answer a question if you feel the answer might incriminate you. Now, Mr. Brand, you are not quite as dumb as you try to make out here today. If so, the Crown Publishing Co. has awfully bad judgment in hiring you. You were in yesterday, and you said you wanted a lawyer. Did you consult a lawyer since you saw us yesterday?

Mr. BRAND. I talked with a lawyer about his advising me.

The CHAIRMAN. Whom did you talk to?

Mr. BRAND. Murdaugh Madden.

The CHAIRMAN. Is he a member of the Communist Party?

Mr. BRAND. I have no knowledge of his being a member.

Senator JACKSON. Is he an attorney here in town, or New York?

Mr. BRAND. Here in town. I simply discussed whether I could get advice, and the decision was that I would not take counsel, and there was no advice as to how I should handle myself.

Senator JACKSON. Mr. Brand, to get back to my question, I think it was made clear in previous colloquies here this morning, that the fact that you do answer a question does not preclude your right to invoke the fifth amendment as to future questions if you can conscientiously do so, as previously explained to you. I have asked you a historical question. Are you familiar with the constitutional provisions in the Soviet Union?

Mr. BRAND. No, sir; I am not familiar with them.

Senator JACKSON. Is it not a fact that if you were sitting in the Soviet Union today you would not have any fifth amendment to invoke over there?

Mr. BRAND. I am really not familiar with this area of discussion.

Senator JACKSON. Well, you are apparently a pretty good member of the Communist Party. I thought you would be sufficiently indoctrinated to answer that question, because that is part of the line, about their right of civil liberties, and so on.

The CHAIRMAN. I might say, Mr. Brand, that if you were in the Soviet Union today and you were asked whether you had committed espionage against the Soviet Union for the United States, you would have very small chance of getting any life insurance.

You may step down.

Who is your next witness?

Mr. COHN. Mr. Harvey Matusow, Mr. Chairman.

The CHAIRMAN. Mr. Matusow, will you raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATUSOW. I do.

Mr. COHN. Mr. Matusow, have you ever been a member of the Communist Party?

TESTIMONY OF HARVEY MATUSOW

Mr. MATUSOW. I have.

Mr. COHN. From what year until what year?

Mr. MATUSOW. From 1947 until 1951.

Mr. COHN. And did you leave the party in 1951?

Mr. MATUSOW. I did.

Mr. COHN. You served in the Armed Forces, did you not?

Mr. MATUSOW. I did.

Mr. COHN. From what years?

Mr. MATUSOW. I served in the Armed Forces during World War II, was discharged in 1946, and reenlisted in the Air Force in 1951 for the Korean war; and was discharged in 1952.

Mr. COHN. And you say you joined the party in 1947. Is that right?

Mr. MATUSOW. That is correct.

Mr. COHN. And you did not leave the party until 1951?

Mr. MATUSOW. That is correct.

Mr. COHN. Now, when you left the Communist Party, did you voluntarily go to the FBI and cooperate fully with them and with the Department of Justice and furnish to them all information within your possession concerning the Communist conspiracy of which you had been a part?

Mr. MATUSOW. That is correct to an extent. I contacted the FBI while I was in the Communist Party.

The CHAIRMAN. I think it should be clear that while you were in the Communist Party, I understand, you were furnishing the FBI from day to day with information.

Mr. MATUSOW. That is correct.

Mr. COHN. You furnished them with reports and information, and then when you left the party you took the witness stand at the trial in Foley Square against the Communist leaders and various other trials whenever you have been subpoenaed and called upon to do so by the United States Government. Is that true?

Mr. MATUSOW. I have.

The CHAIRMAN. Just so we have the record clear, Mr. Matusow, is it correct to say that while you were in the Communist Party you were in the Communist Party as an FBI undercover agent?

Mr. MATUSOW. For a period of time, yes.

Senator POTTER. Did you join the Communist Party of your own volition, or at the instigation of the FBI?

Mr. MATUSOW. No, at my own volition. I was first contacted while I was in the Army.

Mr. COHN. Then you contacted the FBI while you were in the party, and even though you were ready to break, you agreed to stay, and you stayed in and furnished the FBI information as to the party activity?

Mr. MATUSOW. That is correct.

Mr. COHN. And when you left, you cooperated fully with the Government, testifying when you were called upon to do so. Is that correct?

Mr. MATUSOW. Correct.

Mr. COHN. Now, Mr. Matusow, did you ever attend any Communist Party training schools?

Mr. MATUSOW. I attended Communist Party schools in New York.

Mr. COHN. Can you name some of those schools?

Mr. MATUSOW. The main Communist Party school in New York is the Jefferson School of Social Science, at 575 Sixth Avenue, New York.

Mr. COHN. And when you were in the Communist movement, did you attend the Jefferson school?

Mr. MATUSOW. I did.

Mr. COHN. Am I correct in assuming the members of the faculty of the Jefferson School are Communist Party members?

Mr. MATUSOW. All members of the faculty are members of the Communist Party.

Mr. COHN. And you were taught communism at the Jefferson School?

Mr. MATUSOW. That is correct.

Mr. COHN. And when you studied at the Jefferson School, did you come across a man by the name of Herbert Aptheker?

Mr. MATUSOW. I did.

Mr. COHN. And who was Mr. Aptheker?

Mr. MATUSOW. He was an instructor at the school and a lecturer. He is also an author of books which are used as the official Communist Party line in relation to the Negro question in the United States.

Mr. COHN. Now, you identify Mr. Aptheker, then, as an instructor at the Jefferson School, as an author of books officially used by the Communist Party on Negro questions. Is that correct?

Mr. MATUSOW. That is correct.

Mr. COHN. Did you know Mr. Aptheker at the Jefferson School and when you were in the Communist movement?

Mr. MATUSOW. I did.

Mr. COHN. Was he a member of the Communist Party?

Mr. MATUSOW. He was.

Mr. COHN. And an active and leading member?

Mr. MATUSOW. Active and leading; yes.

Mr. COHN. Did you use any of Mr. Aptheker's books in the course of your Communist studies when you were in the Communist Party?

Mr. MATUSOW. Yes. And I would like to give the committee a document here, an official Communist Party document, which states the purpose of the use of one of Mr. Aptheker's books.

Mr. COHN. I think that would be very helpful.

The CHAIRMAN. While Mr. Matusow is getting that, Mr. Cohn, may I ask: Have Mr. Aptheker's books been used in our information program?

Mr. COHN. Yes, Mr. Chairman. Mr. Aptheker's books have been widely used in the State Department information program; in fact, the same books published by the Communist Party official publishing house and which were used in the Communist school and used by the Communist Party.

The CHAIRMAN. Do you know, roughly, how many books?

Mr. COHN. Yes; we know of four books—American Negro Slave Revolts; A Documentary History of the Negro in the United States; Essays in the History of the American Negro; and The Negro People in America: A Critique.

The CHAIRMAN. How many of those books, do you know?

Mr. COHN. We don't have a full total on that. I see over 40 specifically listed here. There might be some in addition to that.

The CHAIRMAN. I understand Secretary Dulles has ordered those removed from the library now.

Mr. COHN. Secretary Dulles has ordered removed, as we understand it, books by all Communist authors, and I would assume that would certainly include books by Mr. Aptheker.

I might say we have observed that one of these books on our trip abroad was located in the Information Service library in London.

Senator POTTER. Are these books on the open shelf?

Mr. COHN. All of these books are on the open shelves.

Is that document that you have in your hand an official publication of the Communist Party?

Mr. MATUSOW. It is a photostat of an official Communist Party publication.

Mr. COHN. Which publication is that?

Mr. MATUSOW. It is a magazine called Clarity, No. 2. There were two editions of it. Issued by the New York State Communist Party, educational department, 35 East 12th Street, New York.

(The photostat referred to above was marked as "Exhibit No. 34" and may be found in the files of the subcommittee.)

Mr. COHN. Now, does this book, issued by the educational department of the New York State Communist Party, this pamphlet, make any reference to any of Mr. Aptheker's books?

Mr. MATUSOW. It does. On the last page they keep plugging the magazine Clarity as the official Communist Party line on the Negro question. Near the bottom of the page it says, "Further reading on the Negro question," and included in that list of four books is Essays in the History of the American Negro, by Herbert Aptheker, one of the books you just mentioned.

Mr. COHN. Mr. Chairman, I might say that this book, *Essays in the History of the American Negro*, by Mr. Aptheker, which book is published by the Communist Party Educational Department, 31 copies of that book were purchased by the old State Department information program and have been in use, unless withdrawn under Secretary Dulles' directive.

The CHAIRMAN. In other words, the required reading in the Communist school is also required material on our bookshelves. Right?

Mr. COHN. That appears to be the case, Mr. Chairman.

The CHAIRMAN. I wonder, Mr. Matusow: Would you give us a brief résumé of the type of training you got at this Communist school?

Mr. MATUSOW. When I was at the Jefferson School, I took a course called Institute of Marxist Studies, which included a study in Marxism and trade unions, the role of the Communist Party in the labor unions, that is, Communist activities in relation to the Negro question; communism; a course in political economy, which was a basic Marxist economic course on their viewpoint of how a society should be run economically, and, well, those are the only courses I do remember, offhand.

The CHAIRMAN. Did you run some Communist bookstores while you were both a member of the party and also working for the FBI?

Mr. MATUSOW. I did. I worked at the Jefferson School Bookstore, which is a Communist bookshop, which was under the management of the Communist Party Literature Department, at Communist national headquarters. I also worked at the Workers Bookshop, which is located in the former headquarters of the Communist Party. I also worked at the bookshop at Camp Unity, a Communist Party summer camp, and the Jefferson School summer camp, Camp Sherwood, where I managed the bookshop.

The CHAIRMAN. Where were these camps located?

Mr. MATUSOW. In the State of New York.

Senator JACKSON. I want to get something clear in my mind. You said you were first approached to join the Communist Party about the time you were in the Army, or about the time you were getting out?

Mr. MATUSOW. While I was in the Army, sir.

Senator JACKSON. What year was that?

Mr. MATUSOW. 1945.

Senator JACKSON. Where was it?

Mr. MATUSOW. In Germany. In France.

Senator JACKSON. Who approached you?

Mr. MATUSOW. I don't recall the name of the individual. I am trying to find out who that is now.

Senator POTTER. Can you not tell the committee who asked you to join? Did they just come up by accident?

Mr. MATUSOW. Well, sir, there were a group of Communists in my unit, the 106th Infantry Division.

The CHAIRMAN. May I say, Mr. Jackson: We are asking Mr. Matusow to give us in executive session a list of all of the Communist that he knew, in line with what you ask.

Senator JACKSON. The names shouldn't be made public here. But you will try to supply them to the committee?

Mr. MATUSOW. Definitely.

Senator JACKSON. You got out in 1946. Where did you live then?

Mr. MATUSOW. In New York City.

Senator JACKSON. Are you from New York City?

Mr. MATUSOW. That is correct.

Senator JACKSON. And you joined the Communist Party of your own volition in 1946?

Mr. MATUSOW. That is correct.

Senator JACKSON. Did someone ask you to join?

Mr. MATUSOW. First I joined the counterpart of the Young Communist League at that time, the American Youth for Democracy.

Senator JACKSON. In New York?

Mr. MATUSOW. And was a member of that organization for about a year.

Senator JACKSON. When was that? In 1946?

Mr. MATUSOW. That is correct.

Senator JACKSON. So that you were into the Communist Party before 1947?

Mr. MATUSOW. Well, officially not in the Communist Party; in the Communist movement from 1946; right.

Senator JACKSON. And were you in New York from 1947 to 1951?

Mr. MATUSOW. No, in 1950, I went to New Mexico.

Senator JACKSON. Where were you in 1946?

Mr. MATUSOW. In New York City.

Senator JACKSON. In 1947?

Mr. MATUSOW. In New York.

Senator JACKSON. And 1948?

Mr. MATUSOW. New York.

Senator JACKSON. Up until 1950?

Mr. MATUSOW. That is correct.

Senator JACKSON. And when did you first get in touch with the FBI?

Mr. MATUSOW. In early 1950.

Senator JACKSON. In early 1950.

Mr. MATUSOW. That is correct, sir.

Senator JACKSON. Did you engage in any espionage activities?

Mr. MATUSOW. I did not engage in espionage activities, as such. After I had contacted the FBI, a delegate to the United Nations from Czechoslovakia, who was a friend of mine, asked me to go to New Mexico, near Los Alamos, where I had been living, and see if I could obtain any information in connection with our atomic program.

Senator JACKSON. The Los Alamos project at Los Alamos, N. Mex.?

Mr. MATUSOW. That is correct.

Senator JACKSON. And what about prior to your getting in touch with the FBI?

Mr. MATUSOW. No espionage activities.

Senator JACKSON. Nothing along that line at all?

Mr. MATUSOW. That is correct.

Senator JACKSON. But afterward, in cooperation with the FBI, you did go out, still as a member of the Communist Party, to New Mexico?

Mr. MATUSOW. That is correct.

Senator JACKSON. And that was to carry out the request of this Czechoslovakian diplomat at the United Nations?

Mr. MATUSOW. That is correct.

Senator JACKSON. Now, what did you do after you left New Mexico? Did you work out there?

Mr. MATUSOW. In New Mexico, I went to school.

Senator JACKSON. What kind of work did you do in New Mexico and New York?

Mr. MATUSOW. Public-relations work, some writing; advertising agency.

Senator JACKSON. What agency?

Mr. MATUSOW. Grey, G-r-e-y.

Senator JACKSON. What did you do in New Mexico?

Mr. MATUSOW. Not much of anything. I went to school mostly, under the GI bill of rights.

Senator JACKSON. And what did you do in 1952?

Mr. MATUSOW. In 1952, when I got out of the Air Force, I became an investigator for the Ohio State Un-American Activities Committee, Columbus, Ohio. I was there until June, early June, or late May of 1952. I then went to work for the publication called, Counter Attack, and worked there until August, at which time all my time was taken up in preparing testimony in the trial of the 13 convicted Communist leaders.

Senator JACKSON. Then what else did you do in 1952?

Mr. MATUSOW. I worked actively in the political campaign.

Senator JACKSON. Whom were you working for in the political campaign?

Mr. MATUSOW. Various organizations.

Senator JACKSON. What organizations?

Mr. MATUSOW. In Montana, there is the Montana Citizens for America. In Utah, I was out there with the Republican Party.

Senator JACKSON. You were working for the Republican Party in Utah?

Mr. MATUSOW. That is correct, sir. And in the State of Washington, I campaigned against you, Senator Jackson, I believe, sir.

Senator JACKSON. And who else were you against?

Mr. MATUSOW. I was in the Wisconsin primary prior to September.

Senator SYMINGTON. Did you campaign against Senator Jackson before you left the Communist Party or afterward?

Mr. MATUSOW. Afterward. I believe I made three speeches in the State of Washington.

Senator JACKSON. And in Montana?

Mr. MATUSOW. I believe I made about two speeches.

Senator JACKSON. Who did you work for in Montana?

Mr. MATUSOW. An organization called the Montana Citizens for Americanism.

Senator JACKSON. What kind of an organization is that? Who is behind it?

Mr. MATUSOW. The national committeeman of the American Legion, Mr. Overcash of Cut Bank, Mont., is the head of the organization.

Senator JACKSON. Did you say the American Legion?

Mr. MATUSOW. No, you said who.

Senator JACKSON. Yes.

Mr. MATUSOW. He is the national committeeman for the American Legion in Montana.

Senator JACKSON. Did it have any connection with the American Legion?

Mr. MATUSOW. None whatsoever.

Senator JACKSON. Then why did you mention the American Legion?

Mr. MATUSOW. Sir, you asked me who was the individual.

Senator JACKSON. No; I asked you who was behind the organization.

Mr. MATUSOW. A group of citizens in Montana.

The CHAIRMAN. May I ask that I think we can cut this short by asking you this question: You were very active in Eisenhower's campaign and the campaign of other Republicans. You did not campaign for Democrats last fall. Is that correct?

Senator JACKSON. Well, I think his whole background ought to be in the record.

Mr. MATUSOW. I do happen to be a Republican. I am proud of it.

Senator SYMINGTON. Mr. Chairman, may I ask a question?

Did your pride and your sincerity and your integrity carry on to the point where before you campaigned for the Republicans you mentioned you admitted to your audiences that you had been a member of the Communist Party?

Mr. MATUSOW. Always, sir.

Senator SYMINGTON. You always told them that in every speech?

Mr. MATUSOW. I always started my speeches saying I joined the Communist Party of my own volition.

Senator JACKSON. Did you, in Montana, mention that you were sponsored by the Legion, in any of the meetings out there?

Mr. MATUSOW. At no meetings whatsoever.

Senator JACKSON. Were the meetings billed that way?

Mr. MATUSOW. They were not.

Senator JACKSON. You are sure about that?

Mr. MATUSOW. In no meeting did I say it was billed by the American Legion. I would like to furnish you copies of the handbills, sir, if you would like them.

The CHAIRMAN. Anything further?

Mr. COHN. Just one last question, Mr. Matusow.

We want you down, and we want you back again, but to get back to the subject matter of the morning, I was going to ask you this: The book which was referred to in this official publication of the educational department of the Communist Party you produced here was entitled, "Essays in the History of the American Negro," by Herbert Aptheker. Is that correct?

Mr. MATUSOW. That is correct.

Mr. COHN. By the way, in this Communist school, were you taught anything as to how the Communist Party was to come to power in the United States?

Mr. MATUSOW. Yes; we were taught that.

Mr. COHN. What were you taught?

Mr. MATUSOW. The Communist line is that the bourgeoisie or capitalism will not give up without a struggle; therefore we have to take arms to overthrow this bourgeoisie or capitalism.

Mr. COHN. Now, Mr. Chairman, if we could have Mr. Matusow step aside for a few minutes, I want to call Mr. Herbert Aptheker to the stand.

The CHAIRMAN. Will you step aside, Mr. Matusow?

Will you just sit back there, Mr. Matusow?

Dr. Aptheker? Will you raise your right hand, Doctor?

In this matter in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. APTHEKER. I do.

The CHAIRMAN. I understand you are here with counsel, Dr. Aptheker. Your counsel is Mr. Joseph Forer.

Mr. Forer, I think you know all the right a counsel has here. We have explained that before.

Mr. FORER. Yes, sir; I do.

The CHAIRMAN. And you understand, Doctor, you can confer with your counsel at such time as you care to whenever you desire to.

Mr. COHN?

Mr. COHN. Mr. Aptheker, are you the author of a book entitled "Essays in the History of the American Negro," which is in use in the State Department information program?

**TESTIMONY OF HERBERT APTHEKER, ACCOMPANIED BY HIS
COUNSEL, JOSEPH FORER**

Mr. APTHEKER. Do you have the book there?

Mr. COHN. Yes, sure. Right there.

Mr. APTHEKER. Do you want to pass it to me?

Mr. COHN. Yes, surely, if you can't recognize it. I need it back, too.

Mr. APTHEKER. You want to know whether I wrote this book?

The CHAIRMAN. Doctor, will you get nearer to the microphone?

Mr. APTHEKER. I am the author of that book.

Mr. COHN. You are the author; is that right?

Mr. APTHEKER. Yes; I am the author.

Mr. COHN. And this book, of course—Mr. Chairman, 31 copies have been in use in the State Department information program.

The CHAIRMAN. Thirty-one different information libraries?

Mr. COHN. No; the figure on that is 31 copies. Thirty-one copies are in use or have been in use unless removed under Secretary Dulles' order.

The CHAIRMAN. And this is the same book Mr. Matusow described as "must" reading in the Communist school?

Mr. COHN. That is correct. That is correct, Mr. Chairman, and in which the documentary evidence he has supplied for the educational department so indicates.

Dr. Aptheker, when you wrote this book which has been in use in the State Department information program, were you a member of the Communist Party?

Mr. APTHEKER. I will not answer such a provocative question, for the following reasons—

The CHAIRMAN. Would you get nearer to the microphone so that we can hear you, Doctor?

Mr. APTHEKER. I said I would not answer such a provocative question, for the following reasons: Such a question, living in the conditions in which we do live, subjects one to the possibility of becoming an informer, than which there is nothing more dastardly. Such a question is also, in my opinion, obviously directed toward violating the first amendment of the Constitution of the United States. Such an amendment plays into the hands of guilt by association tactics, notoriously practiced by this committee.

I further refuse to answer this provocative question on the basis of the fifth amendment, which protects me against being a witness against myself.

For these reasons, I will not answer this loaded question.

The CHAIRMAN. Do you tell us today that you feel that if you were to truthfully answer the question as to whether you were a member of the Communist Party at the time you wrote this book that answer might tend to incriminate you?

Mr. APTHEKER. Well, Senator, I think I have answered the question.

The CHAIRMAN. I will require you to answer this question. You understand that you are privileged to refuse to answer any question that you feel that a truthful answer might tend to incriminate you. You cannot refuse to answer if you feel that if you perjure yourself it would incriminate you. It is only if you feel a truthful answer to this question of whether or not you were a Communist at the time you wrote the book would tend to incriminate you that you can refuse to answer.

So, my question to you now is: Do you tell the committee, under oath, that you feel that a truthful answer to that question, as to whether you were a Communist, would tend to incriminate you? And I shall order you to answer that question.

Mr. APTHEKER. I appreciate your concern, Senator.

The CHAIRMAN. Thank you.

Mr. APTHEKER. There was certainly no intent to commit perjury by me. Since you put it the way you do, and direct me the way you do, in addition to the reasons which I gave, it might tend to incriminate, yes.

The CHAIRMAN. You said you think there is nothing more dastardly than an informer. Do you think it would be a dastardly act for you or any other American to inform of acts of espionage against the United States? Would that be a dastardly act?

Mr. APTHEKER. Clearly, in my opinion, this is not my usage of "informer."

The CHAIRMAN. In other words, you think it would be proper to inform as to espionage activities?

Mr. APTHEKER. If actual knowledge of espionage is held by someone, it would certainly not be dastardly or incorrect to let authorities know of such act.

The CHAIRMAN. Have you ever engaged in either espionage or sabotage?

Mr. APTHEKER. Certainly not.

The CHAIRMAN. You have not.

The previous witness was on the stand, whose books also were being purchased, and he has refused to state whether he was engaged in treasonable activities or espionage activities. Would you say that such an individual's books should be used in a fight for America?

Mr. APTHEKER. Well, there is a non sequitur in your question. I don't see what the first part has to do with the second part.

The CHAIRMAN. Well, we will not ask you to answer. I guess you would not be an authority on that anyway. Are you a member of the Communist Party as of today, as of this moment?

Mr. APTHEKER. I refuse to answer that question for the reasons already stated, Senator.

The CHAIRMAN. On the ground that if you were to answer, the answer might incriminate you?

Mr. APTHEKER. Might tend to and also the other reasons which I gave. Apparently only one holds up.

Senator JACKSON. Can you distinguish between a Communist who stands on his constitutional right to refuse to answer the question of whether he is or is not a member of the Communist Party—

The CHAIRMAN. May I ask the photographers not to take flash pictures while the witness is testifying? I think it is extremely difficult for him to testify while you are doing that. I know you young men are sent here to take pictures and you may take pictures other than flash pictures unless the witness objects.

Mr. APTHEKER. I have no objection—no particular objection.

The CHAIRMAN. If you do not mind their taking flash pictures, they may be permitted to do that, unless it disconcerts you.

Mr. APTHEKER. That is the least disconcerting feature here, sir.

The CHAIRMAN. You may take your pictures, then.

Senator JACKSON. If I may restate the question: Can you distinguish between the Communist who relies on his constitutional prerogative against self-incrimination and refuses to answer whether he or she is a member of the Communist Party, and a Communist who broadens that exercise of the constitutional privilege provided for in the fifth amendment to not only include the refusal to state whether he or she is or has been a member of the Communist Party but also includes the refusal and the exercise and the invocation of the fifth amendment on the question of espionage and sabotage?

Mr. APTHEKER. Can I distinguish between them, did you say?

Senator JACKSON. Yes. Are there two different kinds of Communists now? In other words, is there a philosophical Communist, who sincerely believes in an objective use of the Communist state and is a member on that basis, and then the other Communist, who apparently goes all the way and includes in his membership responsibilities the necessity of engaging in espionage and sabotage?

Mr. APTHEKER. No. The answer to your question is not as involved as your question would tend to indicate. The refusal to answer such questions is simply a hallmark of the intimidation which is prevalent in the country. People react differently to such intimidation.

Senator JACKSON. Well, you realize you cannot invoke the fifth amendment unless you conscientiously believe that it will tend to incriminate you. In other words, you may later be indicted for a violation of a Federal law. And, incidentally, the right of self-incrimination does not apply to a violation of a State law. It only applies to a violation of a Federal law, as I understand, before this committee.

Senator POTTER. A criminal action.

Senator JACKSON. Well, a criminal action. But it is limited, I believe, to a violation of Federal law.

Mr. APTHEKER. I understand that there is no inference of guilt in refusing to answer, and that the fifth amendment was put there to protect the innocent as well as the guilty, and as a very important part of our civil rights.

The CHAIRMAN. May I say to the witness that he is incorrect when he says that there is no inference of guilt. There is no inference of guilt in a criminal action. Refusal to answer this question in a criminal court could not be used against you to infer you are guilty. However, when you are asked a question as to whether or not you are a member of the Communist Party, and you say, "I honestly feel

if I told you the truth it might incriminate me," that means to the average person, it means to me, that if you were not a member of the party you, of course, could say, "I am not a member of the Communist Party," and that would not incriminate you, and the only possible way you could be incriminated there is if you are a member of the party; so that there is the strong inference when a witness such as the last witness is asked a question, "Did you ever commit larceny?" and he says, "No, I never committed larceny," very freely answering the question—the second last witness it was—and then is asked the question, "Did you ever commit espionage?" and he says, "I refuse to answer that because if I answer," he said in effect, "I might go to jail," you see, there is the strong inference that he has been engaged in espionage. Because if he had not, he could very simply say he had not been engaged in it. I think we should have it very clear here that there is a difference between inference of guilt in a criminal case which could be used to send you to jail, and the inference which the reasonable man draws from your answer.

Mr. APTHEKER. I do not agree with that position.

The CHAIRMAN. You have a right to disagree, of course.

Mr. APTHEKER. I want to say something further since you spoke at length, if you don't mind, Senator.

The CHAIRMAN. You may.

Mr. APTHEKER. First of all, you put words into my mouth as to the reason why I did not reply. My reason for not replying is a matter of record, and I stand on what I said. I am not quite done, if you don't mind.

The CHAIRMAN. Let us have the record clear at this point.

Mr. APTHEKER. May I finish, sir?

The CHAIRMAN. No; let us have the record clear so that you will understand this. The only ground upon which you can refuse to answer is if you tell the committee that you feel that a truthful answer might tend to incriminate you. There is no other ground upon which you can refuse to answer before this committee.

Senator JACKSON. It cannot be on any propaganda ground. It cannot be on any philosophical ground. It has to be on that ground and that ground alone. That is what the constitutional amendment is there for.

Mr. APTHEKER. I understand that.

Senator JACKSON. So it is not fair for you to turn around and say the reason you are not answering is that it is guilt by association or that it is a lot of other references that you might want to throw in. There is only one answer that you can give when you exercise that privilege. Otherwise you are not conscientiously abiding by the constitutional provisions.

Mr. APTHEKER. I don't agree with that, either, sir.

Senator JACKSON. You are not entitled to the privilege otherwise.

Mr. APTHEKER. Both of you gentlemen have spoken about 10 or 15 minutes. Am I to have a chance to reply?

The CHAIRMAN. No; you will have a chance to answer questions. We are not going to hear any speeches. When a witness comes before us who has been identified as a member of the Communist Party, who refuses to tell whether he is a member of the Communist Party, we are not hearing any speeches from him.

Mr. APTHEKER. I didn't wish to make any speeches.

The CHAIRMAN. You can go back to your Communist school and make your speeches. Now you will only answer the questions.

Do you have some questions, Senator Symington?

Senator SYMINGTON. I would like to ask you a question.

Where were you born?

Mr. APTHEKER. In Brooklyn, sir.

Senator SYMINGTON. And how old are you?

Mr. APTHEKER. Thirty-seven.

Senator SYMINGTON. And how long have you been a Communist?

Mr. APTHEKER. I refuse to answer that question, on the grounds already stated.

Senator SYMINGTON. Are you a Communist now?

Mr. APTHEKER. Same answer, sir.

Senator SYMINGTON. Do you think you are a good American?

Mr. APTHEKER. Yes, sir.

Senator SYMINGTON. Would you be a good American if you belonged to an organization that is dedicated to the destruction of our system of government?

Mr. APTHEKER. I think I had better refuse to answer that question. Actually, I think, since you have put it in an opinion form, I would say "No" to your question.

Senator JACKSON. Are there two different kinds of Communists, a philosophical Communist who does not believe in espionage and sabotage, as a part of the party membership, and one who does believe in espionage and sabotage as a part of the fulfillment of the membership? Can you answer that question?

Mr. APTHEKER. You request my opinion on that, Senator, and I will offer my opinion. My opinion is that there are not such Communists at all; that espionage, as you put it, in relation to this, is a monstrous hoax.

Senator JACKSON. Your statement is that Communist Party members do not engage in espionage or sabotage?

Mr. APTHEKER. I did not mean to convey any special knowledge. You asked for an opinion. I am offering an opinion, on the basis of my knowledge, what I think I know, what my opinion is, and my reply to you is a negative one.

Senator JACKSON. What is your opinion, then?

Mr. APTHEKER. On what?

Senator JACKSON. Well, just answer this very simple question. In your opinion, do members of the Communist Party, as a part of their membership and activities, engage, any of them, in espionage or sabotage against this Government? I have asked for your opinion.

Mr. APTHEKER. In my opinion, no.

Senator JACKSON. They do not. Is that your answer?

Mr. APTHEKER. That is what I have just said, yes, sir.

Senator SYMINGTON. You mentioned that you thought there was nothing more dastardly than being an informer. "Despicable," I think was the word. If you had been a member of the Communist Party, and decided that the Communist Party was a menace to America, and that your first obligation was to America, would it not be more proper for you to inform the truth with respect to your relations with the Communist Party than it would be not to inform? Would not your first loyalty come to your country as against your own personal opinion?

Mr. APTHEKER. Sir, I mean no disrespect in saying that your question presumes so much which, in my opinion, is fallacious, viciously so, that a question with such a premise cannot have a logical or a reasonable answer.

Senator SYMINGTON. What did you mean by the word "informer"?

Mr. APTHEKER. What did I mean by the word?

Senator SYMINGTON. Yes; you answered the first question when you came here by using the word "informer." What did you mean by that?

Mr. APTHEKER. I meant what is normally meant by it, what the dictionary meant by it, what the film, *The Informer* meant.

Senator SYMINGTON. I did not ask you what the dictionary says about it. I asked you what you meant by the word.

Mr. APTHEKER. That is how I am answering.

Senator SYMINGTON. Answer what you meant by the word.

Mr. APTHEKER. I answer that I am using the word in the normal dictionary sense. An informer is universally despised because he, with malice aforethought, and for reasons usually of personal gain, informs, historically always inaccurately, because that is his function, on other people.

Senator POTTER. Of course, an informer has to have some material to pass on, to inform about. I have never heard yet of an informer for the YMCA or the Boy Scouts.

Mr. APTHEKER. Well, an informer is a political term. You have heard of political informers, Senator, in Irish history, in French history, in Italian history. You know of informers.

Senator POTTER. And many of those people have given us great information about a menace that the people were anxious to have the information about. When you have an underground, secret group, the best and probably the only way you can gain information is through informers. And those informers, many of them, do it at great risk to themselves, great damage to their own reputation. But when you have a group that is secretive, that is underground, and they are underground because they feel that the public will not accept them if they are above ground, the best and only way that I know of is through the use of people who report on those activities.

Mr. APTHEKER. I think you are wrong, and I think the history of the labor movement, for example, would show that you are wrong.

The CHAIRMAN. May I ask you a question? The witness who has just left the stand testified that you were a member of the Communist Party. Did you think that was a dastardly act on his part?

Mr. APTHEKER. I think the person is a dastardly individual. I think that that act was a dastardly act.

The CHAIRMAN. Did you think it was an improper act, when he knew you were a member of the Communist Party, to tell us that you were?

Mr. APTHEKER. I have already answered your question, sir.

The CHAIRMAN. Did you think it was a dastardly act? You said to inform was a dastardly act. We had a witness under oath asked the question of whether or not you were a member of the Communist Party. He was bound to tell us the truth. He told us you were a member of the Communist Party. Would you consider that a dastardly act? Or do you think he should have committed perjury?

Mr. APTHEKER. I think that his whole career and performance and function and appearance are dastardly.

The CHAIRMAN. Do you think it was a dastardly act for him to tell the truth about you?

Mr. APTHEKER. I have answered that question, sir.

The CHAIRMAN. I did not hear you answer it.

Mr. APTHEKER. Of course, you have also put into this the assumption of truth on the part of this person.

The CHAIRMAN. Was he telling the truth when he said you were a member of the Communist Party?

Mr. APTHEKER. I refuse to answer that question on the grounds already stated.

The CHAIRMAN. On the grounds that an answer might incriminate you?

Mr. APTHEKER. Might tend to.

The CHAIRMAN. Senator Symington?

Senator SYMINGTON. Let us get back to this question of an informer. If you saw a man commit murder, would it be wrong to inform the police?

Mr. APTHEKER. That is not an informer, sir.

Senator SYMINGTON. You will not answer the questions, will you?

Mr. APTHEKER. I have answered the question.

Senator SYMINGTON. The next question is: Suppose you were a member of the Nazi Party in this country, and you decided that you thought the Nazi regime was wrong. Do you think it would be wrong for you to inform the American Government about the Nazis?

Mr. APTHEKER. That is also not an informer.

Senator SYMINGTON. Well, what is your definition of "informer"? I asked you that, and you said it was what was in the encyclopedia.

Mr. APTHEKER. I said more than that, sir. The record can be read back.

The CHAIRMAN. It is apparently when you inform on the Communist Party.

Mr. APTHEKER. Are you answering the question, sir?

The CHAIRMAN. Yes.

Senator SYMINGTON. Do you mind, Mr. Chairman, if I have an answer from the witness?

Mr. APTHEKER. It is not my answer.

For example, to give you another instance of an informer, since you have asked: You have an underground railroad in the United States. This is in technical violation of the Fugitive Slave Act of 1850. Thousands of Negro and white people take their lives in their hands and assist slaves to flee. This was what this distinguished Senator called an underground movement, I suppose. There were informers involved in that, creatures who hired themselves out and for \$25 a head, as the obscene language of that time went, would turn in a fugitive slave. He was not informing on a Communist. That person is an informer. That is what I mean by "informer."

The CHAIRMAN. Let us get down, then, to the man who informs upon his fellow members of the Communist conspiracy.

Mr. APTHEKER. We can't get down to that on common ground, sir. There is no conspiracy to which you refer.

The CHAIRMAN. All right. Then let us say a man who informs on the activities of members of the Communist movement. Do you think he is committing a dastardly act?

Mr. APTHEKER. Yes; I think such an informer is——

The CHAIRMAN. You may step down.

Mr. APTHEKER. May I have an opportunity to read a brief statement to this committee?

The CHAIRMAN. You will have no opportunity to make any speeches to this committee, as long as you refuse to tell us whether you are engaged in the Communist conspiracy at this time. You can go outside this committee room and make all the speeches you want.

Mr. APTHEKER. I have, sir, not a speech to make. I have got about 250 words. I have been brought down here from some hundreds of miles. You mean I cannot read 250 words to this committee?

The CHAIRMAN. You cannot read them to this committee unless you answer whether you are a member of the Communist Party.

Senator JACKSON. When you make a statement to the committee, you ought to be willing to give your full background, so that the public will know just who is speaking. If you are a Communist, I suppose you are proud of it, and you ought to tell the American people you are speaking as a Communist.

Mr. APTHEKER. It is no question of pride. It is a question of informing.

Senator JACKSON. All right. Let me ask you one last question. You recall when the 8 or 9 Nazi spies were picked up on the New Jersey coast in 1942 or 1943?

Mr. APTHEKER. I have some recollection of some event like that.

Senator JACKSON. It is a fact that in order to have picked up those spies we had to have informers. You think that kind of informer was all right?

Mr. APTHEKER. That is not an informer.

Senator JACKSON. That is not an informer?

Mr. APTHEKER. Of course not. That was a question of war. These were Nazis sent here for sabotage. I was in the Army then. I would have acted that way. This is not an informer.

Senator JACKSON. You say it is a question of war. Then what about Korea, where we have a very bad situation on our hands and we have people in this country engaged in sabotage and espionage to thwart that effort.

Mr. APTHEKER. Well, the assumption in what you say is erroneous.

Senator JACKSON. What is erroneous?

Mr. APTHEKER. What you just said.

Senator JACKSON. What is erroneous about it?

Mr. APTHEKER. What is erroneous about it? It is false.

Senator JACKSON. Just so we may have it clearly understood, then, I take it that members of the Communist Party do not engage in espionage or sabotage?

Mr. APTHEKER. Certainly, to the best of my knowledge.

Senator JACKSON. If that is the case, then why do they rely on their privilege against self-incrimination and refuse to answer, as the previous or the second previous witness refused to answer the question as to whether he is engaged in sabotage or espionage?

Mr. APTHEKER. I want to say that I am in no position to comment on the testimony of the previous witness.

Senator JACKSON. I am talking about Mr. Brand.

Mr. APTHEKER. Well, I don't have the other person in mind at all. He is out of my mind whatsoever. I am talking about the human

being who was up here. That is, Mr. Millen Brand. Now, when I am talking about him, I want to say that I can't comment, as such, on his testimony. He was up here and spoke. But you asked me in general on this, and my answer to your question is that it seems to me perfectly obvious why people do not answer such questions, such people.

Senator JACKSON. Well, he answered the question I put to him whether he had engaged in larceny. And he said "No." But when I asked him whether he had engaged in espionage or sabotage—

Mr. APTHEKER. There is nothing complex about that. One has political overtones. There is an implication of gangsters in this country—

Senator JACKSON. You mean espionage or sabotage is nothing more than political activity?

Mr. APTHEKER. No; I don't mean that. I mean it is used as a political instrumentality, and that your question, or the question of whoever put such a question, has such a quality, which is perfectly obvious.

Senator JACKSON. Larceny could become a political activity, then, too, along your same line.

Mr. APTHEKER. No. No; that is not true.

Senator SYMINGTON. Mr. Chairman, I would like to ask him one more question.

And I would appreciate your trying to answer this in good faith.

Mr. APTHEKER. I have done so throughout, sir.

Senator SYMINGTON. If you were once a Communist, before it became obvious that they were a great menace to the American Government and its people, why are you not perfectly willing to say that you were? Why should you be ashamed or afraid to say that you are not?

Mr. APTHEKER. I am ashamed of nothing, sir. I don't know whether everybody in this room can say that. I say that I am ashamed of nothing, under oath. I have full pride in my activity.

I must again respectfully say that your question is posited on such fallacious assumptions that it is impossible to answer it reasonably, since in your question you have provided the answer which you seek and which I deny.

Senator SYMINGTON. No; I did not provide any answer.

Mr. APTHEKER. You certainly did, sir.

Senator SYMINGTON. If we have a witness who comes up here under oath and says that he was a member of the Communist Party, why is it not a simple matter for you, inasmuch as we are fighting communism with all of our resources, to say, "Yes, I was a Communist once, but I am no longer," if you believe you are a good American citizen.

Mr. APTHEKER. Once again, the assumptions in your question are the answer that you want.

Senator SYMINGTON. Then you tell me what I would like to ask you. Phrase the question as you would like me to ask it to you.

Mr. APTHEKER. Certainly. You want me to give what you think is information, names, circumstances, dates.

Senator SYMINGTON. No. That is not fair.

Senator JACKSON. No one asked you the names of individuals. I asked you whether you were ever a member of the Communist Party.

Senator SYMINGTON. And if you were, why you were not proud to say that you were now a good American and not a member of the Communist Party?

Mr. APTHEKER. Because such a question posits itself on the assumption that one who is a Communist cannot be a good American.

Senator SYMINGTON. I do not think so at all, if you have left the party. There is nothing illegal about being a member of the Communist Party. And if you say you were a Communist, but now that you recognize the danger of communism to America, you are not, there is nothing wrong with that. Why cannot you not say that now?

Mr. APTHEKER. Because that is exactly the assumption against which I am protesting.

Senator POTTER. What you are saying is that you can be a member of the Communist Party today and be a loyal American citizen?

Mr. APTHEKER. That is certainly my opinion.

Senator SYMINGTON. Oh, that is your opinion, that you can be a member of the Communist Party today and still be a good American.

Mr. APTHEKER. Certainly that is my opinion.

Mr. COHN. Dr. Aptheker, I want to ask you this: Do you teach at a Communist school at the present time?

Mr. APTHEKER. I refuse to answer that question, on the grounds already stated.

Mr. COHN. Have you ever taught at any public university in New York? Have you ever taught at any university or college?

The CHAIRMAN. Any school or college other than the Jefferson School?

Mr. APTHEKER. One of the problems involved in that question is what you mean by "taught." I don't mean to be technical, but, for instance, if you want to know whether I have lectured in various institutions of learning—

Mr. COHN. I will take your word. Have you ever lectured?

Mr. APTHEKER. I have lectured in various universities.

Mr. COHN. Where?

Mr. APTHEKER. Practically all of the major universities.

Mr. COHN. Will you name them, some of them, for us?

Mr. APTHEKER. Just one minute, please.

(Mr. Aptheker confers with his counsel.)

Mr. APTHEKER. I have lectured at Columbia University. You understand, not as a member of the faculty. That is why I asked you that question.

Mr. COHN. Surely.

Senator POTTER. Was it sponsored by the faculty or by a student group?

Mr. APTHEKER. I have lectured at Columbia, at Yale, at Harvard, at Brooklyn, at the University of Chicago, at the University of North Carolina, at Allen University, at dozens of universities.

Mr. COHN. Were you a member of the Communist Party when you delivered those lectures?

Mr. APTHEKER. And the University of Wisconsin.

What is that?

Mr. COHN. Were you a member of the Communist Party when you delivered those lectures?

Mr. APTHEKER. It must be obvious, I think, that I refuse to answer such a question.

Mr. COHN. I don't know whether it is obvious or not. Just refuse to answer the question.

Mr. APTHEKER. Still, you do know it is obvious, Mr. Cohn.

Mr. COHN. I am not interested in your characterizations. I am just interested in your answers to questions. When you wrote these four books which were in use in the State Department information program, were you a member of the Communist Party?

Mr. APTHEKER. I will not answer that question.

Mr. COHN. You refuse to answer on the ground the question might tend to incriminate you?

Mr. APTHEKER. Yes. Do you have any interest in the books at all?

Mr. COHN. Yes, I have such an interest I would like to read from some of them now.

Mr. APTHEKER. You have done the excerpting, Mr. Cohn?

The CHAIRMAN. First, let me say the witness will be ordered to give us a list of the schools at which he has taught and lectured, under whose auspices he was brought to the various schools and universities, and the dates, as nearly as he can supply them.

You will be ordered to produce that. How much time would you want, to produce that, Dr. Aptheker?

Mr. APTHEKER. Actually, the production is impossible, Senator.

The CHAIRMAN. Well, you will produce as complete a list as you can, and the names of the individuals who got you to come, and under whose sponsorship you spoke.

Mr. APTHEKER. I can tell you now that that is impossible. I don't keep those things.

The CHAIRMAN. You will be ordered to produce a list as complete as you can. I know it would be impossible to give us a complete list. You named some of them. I do not want to take the committee's time this morning. We have a number of other witnesses. It is getting late now. It is nearly 12 o'clock. You will be ordered to produce those. If you do not produce them, I will ask the committee to find you in contempt of the committee.

Mr. APTHEKER. May I understand thoroughly what you want produced?

The CHAIRMAN. The list of all of the schools at which you taught or lectured, as nearly as you can give it; the time at which you taught or lectured in the various schools or colleges; the name of the organization or the individual under whose auspices you were brought to these various universities. And you will be ordered to produce that, and we will give you 1 week's time. That will be produced a week from today by 10 o'clock in the morning.

Mr. APTHEKER. Of course, Senator, I reserve the right to invoke the fifth amendment wherever necessary in such a list, the difficulty of which is enormous.

The CHAIRMAN. We will not allow you to invoke the privilege insofar as giving us the names of the colleges at which you lectured, or the dates. If a Communist organization or Communists brought you to the various schools or universities, you will be entitled to invoke the privilege insofar as not telling us who brought you there. But we will not allow the privilege insofar as the dates you spoke there. It is a matter of public record, and you will be ordered to produce that material. If you do not, I repeat, I shall ask the committee to find

you in contempt. The committee may or may not go along with me. I do not know.

You may step down.

Mr. COHN. We would like Mr. Matusow back for a minute.

I might say the staff is preparing excerpts from Mr. Aptheker's works which we would like to have inserted in the record to give a picture of the type of Communist propaganda.

(The material referred to was marked as "Exhibit No. 35" and may be found in the appendix on p. 415.)

The CHAIRMAN. May I ask you to speed up your questioning of Mr. Matusow? We have a number of witnesses yet.

(To Mr. Aptheker.) Will you step aside?

Mr. COHN. Mr. Matusow, do you know a man by the name of Philip S. Foner, F-o-n-e-r?

FURTHER TESTIMONY OF HARVEY MATUSOW

Mr. MATUSOW. I do.

Mr. COHN. Did you know him when you were in the Communist movement?

Mr. MATUSOW. I did.

Mr. COHN. Was Philip Foner a member of the Communist Party?

Mr. MATUSOW. He was.

Mr. COHN. Was he a teacher at this same Communist school, the Jefferson School?

Mr. MATUSOW. He was.

Mr. COHN. And was he the author of books used in the Communist Party?

Mr. MATUSOW. He was.

Mr. COHN. By the way, I notice some of his books are published by International Publishers. Do you know what International Publishers is?

Mr. MATUSOW. International Publishers is the official publishing house of the Communist Party. Its head is Alexander Trachtenberg, one of the 13 convicted Communist leaders who were convicted under the Smith Act recently.

Mr. COHN. Are you familiar with the book, The Jews and American History, by Philip S. Foner?

Mr. MATUSOW. I am.

Mr. COHN. And that is the same Philip S. Foner you identified as a member of the Communist Party and a teacher at this Communist school?

Mr. MATUSOW. It is.

Mr. COHN. Some 71 copies of that book have been in use in the State Department information program, as well as some copies of some other works by Mr. Foner, and I will now ask Mr. Matusow if he will step down, and we can have Mr. Foner come to the stand.

The CHAIRMAN. Mr. Foner?

I note here from your memorandum, Mr. Cohn, that considerably over a hundred of Mr. Foner's books have been used in the Information Service.

Mr. COHN. That is correct, Mr. Chairman.

The CHAIRMAN. Do I understand Mr. Dulles has ordered these also removed from the shelves?

Mr. COHN. I would assume these are covered by his directive.

The CHAIRMAN. May I ask you this, Mr. Cohn: I understood from the report you and Mr. Schine gave me upon your return from overseas that the opinion of the librarians over there was that they were not required to remove books of Communist authors unless and until those authors were called before this committee and either admitted they were Communists or refused to answer.

Mr. COHN. That was the opinion of some of the librarians, Mr. Chairman. That is absolutely correct. They felt that their only guide was the hearings of this committee, which they were following closely, and they asked that we call these people before the committee so that there would be a public record and public documentation on the basis of which they could act.

The CHAIRMAN. May I say that it would be impossible for us to call all of the Communist authors whose works are being used in the libraries before this committee. I think we have some 250 either Communists or those who consistently followed the Communist line. I might suggest that we compile the list of the 250 who have been named under oath as Communists or are well known as Communists and supply that to the State Department at our earliest convenience, because we certainly cannot call all 250 before this committee.

Will you stand up, Mr. Foner, and raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FONER. I do.

The CHAIRMAN. You are a professor as of today, are you? A teacher?

TESTIMONY OF PHILIP S. FONER, ACCOMPANIED BY HIS COUNSEL, DAVID REIN

Mr. FONER. I am a teacher; yes.

The CHAIRMAN. Where do you teach?

Mr. FONER. I refuse to answer, on the grounds of the privilege of the fifth amendment not to be a witness against myself.

The CHAIRMAN. Do you teach in a Communist school, the Jefferson School of Social Science?

Mr. FONER. Same answer, sir.

The CHAIRMAN. Have you taught or lectured in any schools or colleges other than the Jefferson School of Social Science?

Mr. FONER. I did teach at a public college in New York City. That is a matter of public record.

The CHAIRMAN. The name of that?

Mr. FONER. The College of the City of New York.

The CHAIRMAN. The College of the City of New York. And in any other colleges or schools?

Mr. FONER. I taught at no other colleges.

The CHAIRMAN. Did you lecture at any other colleges?

Mr. FONER. I have lectured at 1 or 2 other colleges.

The CHAIRMAN. And the names of them?

Mr. FONER. At the University of Wisconsin and the University of California.

The CHAIRMAN. When did you lecture at the University of California and the University of Wisconsin?

Mr. FONER. At the University of Wisconsin, to the best of my knowledge—I might say that in both cases it was not sponsored by the universities.

The CHAIRMAN. Who was it sponsored by?

Mr. FONER. In the case of the University of Wisconsin, it was a summer school conducted by the Abraham Lincoln School of Chicago. It was not connected with the university.

The CHAIRMAN. In either your lectures at the University of Wisconsin or at the University of California, did Communists take any part in getting you there?

Mr. FONER. I refuse to answer on the same grounds as before.

The CHAIRMAN. We have a report from the State Department that the old State Department—we should distinguish between the two—purchased a sizable number of your books and distributed them in libraries throughout the world in this alleged fight against communism. At the time you wrote those books, were you a member of the Communist Party?

Mr. FONER. I refuse to answer, on the same grounds. And, in addition, may I say that I have a statement that I would like to read.

The CHAIRMAN. You will make no speech to this committee.

Mr. FONER. It is not a speech, sir. It is a statement, a very brief statement.

The CHAIRMAN. You will answer whether you are a member of the Communist Party; if you refuse to answer, we will hear no statement from you. We do not need any lectures.

Are you a member of the Communist Party as of today?

Mr. FONER. I refuse to answer, on the grounds that the present atmosphere in this country, in which this committee—

The CHAIRMAN. You will be ordered to answer the question.

You will, then, be ordered to answer the question.

Mr. FONER. I refuse to answer, on the grounds of the fifth-amendment privilege.

The CHAIRMAN. You are entitled to refuse if you tell the committee that you honestly feel that a truthful answer as to whether you are a Communist today would tend to incriminate you. Is that your testimony, that you honestly feel that a truthful answer as to whether you are a member of the Communist Party might tend to incriminate you?

Mr. FONER. I stated before that the privilege under the fifth amendment permits me the right, under the Bill of Rights, not to bear witness against myself. I have stated that position.

The CHAIRMAN. You will answer the question as to whether you honestly feel that a truthful answer as to whether you are a member of the Communist Party today might tend to incriminate you. You are ordered to answer that question.

Mr. FONER. It might tend to incriminate me, if you put it that way.

The CHAIRMAN. You say you honestly feel that a truthful answer might tend to incriminate you.

Mr. FONER. It might tend to incriminate me.

The CHAIRMAN. You may step down.

Mr. COHN. The next witness is William Gropper. G-r-o-p-p-e-r.

The CHAIRMAN. Mr. Gropper, will you raise your right hand? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GROPPER. I do.

The CHAIRMAN. I believe we failed to identify counsel last time.

TESTIMONY OF WILLIAM GROPPER, ACCOMPANIED BY HIS COUNSEL, DAVID REIN

Mr. REIN. David Rein, R-e-i-n.

The CHAIRMAN. Will you show, Mr. Reporter, that Mr. Rein also appeared for the last witness?

Mr. Rein, I think today is the first time you have been before the committee. I assume you understand that your client can ask your advice at any time he cares to during the testimony.

Mr. COHN. Before this witness testifies, I would like to state that the witness is William Gropper, that he prepares maps, at least one of them entitled "America, Its Folk Lore, a Pictorial Map," having been in very wide use in the State Department information program. Some 1,744 copies have been purchased, according to our present estimate. They are distributed to some 100 information centers throughout the world. And the purchases of these maps have continued up through the end of the year 1952.

Mr. Gropper, the first question is: Are you a member of the Communist Party?

Mr. GROPPER. I refuse to answer under my privilege of the fifth amendment, that I would bear witness against myself.

The CHAIRMAN. The bell was ringing, and I did not get the question.

Mr. COHN. The question is: Mr. Gropper, are you a member of the Communist Party?

The CHAIRMAN. As of today, that is?

Mr. COHN. As of today.

Mr. GROPPER. I refuse to answer under the privilege granted me under the fifth amendment, on the grounds that I might bear witness against myself.

The CHAIRMAN. The answer might tend to incriminate you; is that right?

Mr. GROPPER. Yes.

Mr. COHN. Are you the William Gropper who has prepared various maps?

Mr. GROPPER. I don't understand that question. Prepared various maps?

Mr. COHN. Did you prepare a map entitled "America, Its Folklore"?

Mr. GROPPER. Have you got the map here?

Mr. COHN. No; I don't have the map here. Did you prepare a map entitled, "America, Its Folklore"?

Mr. GROPPER. I painted a map on American folklore, yes.

Mr. COHN. You did paint a map on American folklore?

Mr. GROPPER. I did.

Mr. COHN. What year was that?

Mr. GROPPER. I don't remember.

Mr. COHN. Was that within the last 5 years?

Mr. GROPPER. Probably.

Mr. COHN. And when you painted that map, were you a member of the Communist Party?

Mr. GROPPER. I refuse to answer under the fifth amendment, the same grounds.

The CHAIRMAN. May I ask you: How much income have you received from the United States Government over the past 5 years?

Mr. GROPPER. Nothing.

The CHAIRMAN. How about the purchase of the maps? I understand from counsel that the Department has reported—that how many thousand copies have been purchased?

Mr. COHN. 1,744 copies have been purchased.

Mr. GROPPER. I have no knowledge of receiving any money from the Government for a purchase of that map.

Mr. COHN. Have you been receiving royalties on the sale of that map?

Mr. GROPPER. No, sir.

Mr. COHN. You have not received any royalties at all?

Mr. GROPPER. No, sir.

Mr. COHN. How were you compensated for that?

Mr. GROPPER. I was paid by a publishing firm when I did it, in advance, and no royalties came in.

Mr. COHN. Now, the money you received from that publishing firm for this map, did you give any of that money to the Communist Party? Did you contribute any of that money to the Communist Party?

Mr. GROPPER. I refuse to answer, on the grounds of the fifth amendment.

The CHAIRMAN. Senator Symington has a question.

Senator SYMINGTON. I am sorry. I have to leave. We just had a quorum call. I wanted to ask this: One of the previous witnesses said that despite conditions in the world as they are today, he still felt that you could be a member of the Communist Party and at the same time be a good, loyal American. Do you agree to that?

Mr. GROPPER. You see, I am an artist. I am primarily an artist. I am not in with this political business that you people are all involved in. I would rather talk on my field, where I am equipped. I don't understand those things.

Senator JACKSON. If you are an artist, have you engaged in espionage or sabotage?

Mr. GROPPER. No.

Senator JACKSON. You never have?

Mr. GROPPER. No.

The CHAIRMAN. Mr. Gropper, if you are not a member of the Communist Party today, you can very easily tell us that.

May I say that I realize that people in your field, writers, authors, and I assume even mapmakers, have had difficulty over the past number of years getting their works reviewed by the publications whose views, to a great extent, determine the sale of your books and works. I realize that some authors and writers may have reluctantly joined the Communist movement and followed the party line in order to get favorable reviews of their books. But the climate, fortunately,

has changed a bit, and we do see the authors not following the Communist lines getting reviews in some of our better papers now. I should not say some of the better papers; some of the larger papers.

It would seem that if you are one of those who joined the movement in order to get your stuff on the market, you could tell us about it. It would just seem the honest American thing to do. Certainly at this date any normal person realizes that the Communist movement endangers this world. He knows that our young men are being killed every day because of the Communist grasp for world control.

Mr. GROPPER. But, Senator, I do not think you understand. I do not write books. I am not an author. I don't even make maps. I am a painter.

The CHAIRMAN. But when you draw folklore maps, that is to a certain extent being an author. You are authoring the map.

Mr. GROPPER. No, sir.

The CHAIRMAN. All right. Then let us get back to the question. Have you prepared written guides for mapmaking?

Mr. GROPPER. No, sir.

The CHAIRMAN. You say you will not tell us whether you are a Communist as of today, on the ground that if you told us the truth that answer might incriminate you?

Mr. GROPPER. Yes.

The CHAIRMAN. Before someone in the Information Service purchased your maps, did you contact any Communist in that Service and solicit them to have your maps purchased?

Mr. GROPPER. This is very strange to me.

The CHAIRMAN. Well, you can just answer "Yes" or "No." You either did or did not.

Mr. GROPPER. I have nothing to do with the sale of maps. I don't know anything about the publishing.

The CHAIRMAN. What royalty do you get per map?

Mr. GROPPER. I don't know. I haven't received any.

The CHAIRMAN. What did you get from the publishing firm for this particular map mentioned by Mr. Cohn?

Mr. GROPPER. I don't remember.

Mr. COHN. Approximately how much.

Mr. GROPPER. I really don't—I think I might have gotten \$500. But it was a long time ago.

The CHAIRMAN. Did you give any of that money to the Communist Party?

Mr. GROPPER. Oh, I have refused to answer that.

The CHAIRMAN. On the grounds that it might tend to incriminate you?

Mr. GROPPER. Of course.

The CHAIRMAN. You say "of course."

Mr. GROPPER. On the grounds that it might incriminate me, to use the terminology.

The CHAIRMAN. Do you know any Communists in Government?

Mr. GROPPER. I refuse to answer on the same grounds.

The CHAIRMAN. Do you have any relatives working in Government?

Mr. GROPPER. I refuse to answer on the same grounds.

The CHAIRMAN. You will be ordered to answer that question. It cannot incriminate you if you have relatives working in the Government.

Mr. GROPPER. No.

The CHAIRMAN. You have no relatives working in Government?

Mr. GROPPER. No, sir.

The CHAIRMAN. In any of the agencies?

Mr. GROPPER. No, sir.

The CHAIRMAN. How many brothers do you have?

Mr. GROPPER. One.

The CHAIRMAN. And what is his first name?

Mr. GROPPER. Sol.

The CHAIRMAN. Where is he working?

Mr. GROPPER. I don't know. I haven't seen him in a long time.

The CHAIRMAN. Do you know whether he is working in Government?

Mr. GROPPER. I don't think so.

The CHAIRMAN. But you do not know where he is working?

Mr. GROPPER. He lives in New York; has lived in New York all his life.

The CHAIRMAN. But you do not know where he is working?

Mr. GROPPER. I don't. No.

The CHAIRMAN. You do not know if he is working in the Government?

Mr. GROPPER. No; I don't.

The CHAIRMAN. How about your other relatives, close relatives? Do you know where they are working?

Mr. GROPPER. No.

The CHAIRMAN. You do not know where they are working?

Mr. GROPPER. No.

The CHAIRMAN. Have you ever worked for the Government yourself?

Mr. GROPPER. I did a mural for the new Interior Building.

The CHAIRMAN. A mural for the new Interior Building?

Mr. GROPPER. Yes, sir.

The CHAIRMAN. And were you under orders of the Communist Party at the time you made that mural?

Mr. GROPPER. I refuse to answer, on the grounds of incriminating me.

The CHAIRMAN. How much were you paid for that mural?

Mr. GROPPER. I really don't remember. It is hard for me to remember that.

Mr. COHN. Approximately how much?

Mr. GROPPER. It might have been \$4,000, or \$5,000.

Mr. COHN. Four or five thousands dollars. Did any of that money go to the Communist Party?

Mr. GROPPER. I refuse to answer on the grounds of incrimination.

The CHAIRMAN. Who arranged to have you paint that mural?

Mr. GROPPER. That was a contract given to me by the Section of Fine Arts.

The CHAIRMAN. By the what?

Mr. GROPPER. The Section of Fine Arts.

Mr. COHN. Of the Department of Interior?

Mr. GROPPER. I think so. I don't remember. There was a Section of Fine Arts.

The CHAIRMAN. Did those who hired you know you were a member of the Communist Party at that time, if you know?

Mr. GROPPER. I refuse to answer on the grounds.

The CHAIRMAN. You refuse to answer?

Mr. GROPPER. On the grounds.

The CHAIRMAN. Who is the man who contacted you, who hired you for that job? What is the name of the man?

Mr. GROPPER. It is hard to remember. It is very difficult to remember names, for me. I don't really remember.

The CHAIRMAN. You don't remember who contacted you?

Mr. GROPPER. There was one in charge, and I think his name was Bruce, Edward Bruce.

The CHAIRMAN. And this was how long ago?

Mr. GROPPER. Oh, 1937 or 1936.

The CHAIRMAN. Have you ever worked for the Daily Worker?

Mr. GROPPER. I refuse to answer on the grounds that it might incriminate me.

The CHAIRMAN. Were you working for the Daily Worker at the time the Interior Department hired you to do this mural?

Mr. GROPPER. I refuse to answer on the same grounds.

The CHAIRMAN. I think you will be ordered to answer that. That is a matter of public record whether you were or not. You will be ordered to answer whether you were working for the Daily Worker at that time.

Let us see. Just a minute. I believe, on second thought, in view of the fact that it is public sworn record that only Communists could work for the Daily Worker, you cannot be ordered to answer that question. You will not be ordered to answer it.

You drew a rather celebrated painting of the United States Senate at one time. Were you under orders of the Communist Party at the time you made that painting?

Mr. GROPPER. I refuse to answer on the grounds of the fifth amendment.

The CHAIRMAN. You may step down.

Mr. COHN. Is Mr. Matusow in the room?

Would you come back to the stand for just a minute, please?

Mr. Matusow, you heard the testimony of the last witness, Mr. William Gropper?

FURTHER TESTIMONY OF HARVEY MATUSOW

Mr. MATUSOW. The latter part of it.

Mr. COHN. When you were in the Communist movement, were you familiar with the activities of Mr. Gropper?

Mr. MATUSOW. I heard of his name, yes; in relation to Communist activities.

Mr. COHN. Did you ever see any of his work?

Mr. MATUSOW. I did.

Mr. COHN. And in what connection did you see his work?

Mr. MATUSOW. We sold a book of Gropper cartoons at the Jefferson School, cartoons from the Daily Worker, and I have seen copies of his work in the Daily Worker.

Mr. COHN. Was Mr. Gropper a political cartoonist for the Daily Worker?

Mr. MATUSOW. He was.

Mr. COHN. I see.

The CHAIRMAN. Do you know whether he was a political cartoonist for the Daily Worker, Mr. Matusow, at the time he was hired to do this work for the Department of Interior? Or would you know that?

Mr. MATUSOW. I am not familiar with those dates, no.

Mr. COHN. I have no further questions, Mr. Chairman.

The CHAIRMAN. Mr. Matusow, I want to thank you for coming here. Let me ask you this question: I assume, having been in the Communist movement for some 4 years in New York, and having been in a Communist bookstore, you have a fairly good knowledge of the Communist writers in the city of New York?

Mr. MATUSOW. I do, sir.

The CHAIRMAN. Would you say you have knowlege of some of the Communists that have infiltrated some of the newspapers and magazines in that area?

Mr. MATUSOW. I do. I was a member of the American Newspaper Guild while in the Communist Party. It is an anti-Communist union, but there are Communists in it.

The CHAIRMAN. I would like to have you, if you will, supply us in executive session with the names of all the Communists, those known to you as Communists, who have infiltrated the various news media, whether it is radio, newspapers, television. I know that will be quite a monumental task, so we will not set any definite date, but you can get that for us at your convenience.

Mr. MATUSOW. I will discuss that with Mr. Cohn after the session.

The CHAIRMAN. I think that is all.

May I say that this winds up the phase of our investigation having to do with Communist writers whose works were purchased by the former State Department under Mr. Acheson.

We have been, of course, unable to call all of the Communist authors, all of those that have a record of communism. We have tried to call a general cross section, so that we would have the typical authors' works in the record.

If I may ask you, Mr. Cohn: Roughly, how many thousands of books by Communist authors were purchased by the information program?

Mr. COHN. We are trying to compile an exact figure. It does go into many thousands, Mr. Chairman.

The CHAIRMAN. You do not know the exact figure?

Mr. COHN. We don't know the exact figure and wouldn't want to commit ourselves until we have the exact figure.

The CHAIRMAN. Mr. Buckley, you have been working on this also. Do I understand that you have been working with the Un-American Activities Committee and the various Intelligence agencies and you have a list of some 250 individuals who have been identified under oath as Communists or identified with Communists, authors who have had works in the Information Service libraries?

Mr. BUCKLEY. At least 250, Mr. Chairman.

The CHAIRMAN. Can you give us any idea of the number of volumes that have been used?

Mr. BUCKLEY. I would say 30,000 to 40,000, and perhaps more, but that would be the minimum.

The CHAIRMAN. And you are working now with the Department to try and get the complete listing?

Mr. BUCKLEY. That is correct, Senator, yes.

The CHAIRMAN. May I say also that we have asked the information program officials to try to get the names of the individuals who are responsible for purchasing these books. We have had some of the old Acheson team before us in executive session and otherwise. So far their memories have been extremely bad. None of them have been able to tell us who purchased the works of these 250 Communists or fellow travelers. It may take some time to run that down. I had been hoping that someone on the Acheson team would come forth and volunteer an explanation of why they spent all of this money on the works of well known Communist authors. They have not done that up to this time. We may and in fact we undoubtedly shall, after we run this matter down a bit more, call some of them before the committee and see what explanation they have.

Other than that: When is our next meeting?

Mr. COHN. We have not set a firm date, Mr. Chairman, but there will be an announcement of that very shortly.

The CHAIRMAN. We have several movies put out by the information program, one by the U. N. information program. I think we should arrange for a showing of that, if possible, to the Senators and the Congressmen. Perhaps we could do that in this room in the next couple of days.

Mr. COHN. Very well, Mr. Chairman.

The CHAIRMAN. It is a movie that is being distributed throughout Europe, allegedly to depict American life, and it is, I think, the most anti-American propaganda I have seen.

Would you not say so?

Mr. COHN. I think there is no doubt about it.

The CHAIRMAN. We will make that showing available to the press also, if they care to attend.

We will adjourn until there is a further announcement.

(Whereupon, at 12:25 p. m. Wednesday, May 6, 1953, the hearing was recessed, subject to the call of the Chair.)

STATE DEPARTMENT INFORMATION PROGRAM— INFORMATION CENTERS

THURSDAY, MAY 14, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met (pursuant to S. Res. 40, agreed to January 30, 1953) at 10:30 a. m., in room 318, Senate Office Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senators Joseph R. McCarthy, Republican, Wisconsin, and Stuart Symington, Democrat, Missouri.

Present also: Roy Cohn, chief counsel; Daniel G. Buckley, assistant counsel; Ruth Young Watt, chief clerk; Mario Noto, Chairman, Subversive Aliens Branch, Investigations Division, Immigration and Naturalization Service.

The CHAIRMAN. The committee will come to order.

Counsel?

Mr. COHN. Mr. James Aronson.

The CHAIRMAN. You have already been sworn, Mr. Aronson. You are just reminded that your oath is still in effect.

TESTIMONY OF JAMES ARONSON, ACCOMPANIED BY HIS COUNSEL. NATHAN DAMBROFF

Mr. ARONSON. May I ask whether these lights are necessary. Senator?

The CHAIRMAN. If they bother you, they will be turned off.

Mr. ARONSON. With full respect to the working press and their desire to cover the meeting, I still think they are disconcerting.

The CHAIRMAN. If they are disconcerting, they will be turned off. And there will be no flash pictures during the testimony.

Mr. COHN. Mr. Aronson, would you give us your full name, please?

Mr. ARONSON. Allan James Aronson.

Mr. COHN. Is that A-r-o-n-s-o-n?

Mr. ARONSON. Correct.

Mr. COHN. Mr. Aronson, did there come a time in 1945 when you became an official of the United States Government?

Mr. ARONSON. I was employed by the Office of War Information and later by the War Department in Germany.

Mr. COHN. While you were in Germany—were you in Germany from July of 1945 until the middle of 1946?

Mr. ARONSON. Until the middle of March 1946; yes.

Mr. COHN. Until the middle of March 1946. And did you occupy a position as press-control officer?

Mr. ARONSON. I did.

Mr. COHN. And were part of your duties those of making recommendations concerning which newspapers in Germany should be licensed and allowed to come into existence?

Mr. ARONSON. Well, that is not quite accurate.

Mr. COHN. You correct me, then.

Mr. ARONSON. Yes, I will. My job was as a survey and reports press-control officer attached to headquarters, and it was my function to make reports on slates of Germans who were chosen as licensees for German newspapers. I had no exact connection with the findings of these people, who were chosen by teams of press-control officers and Army Intelligence units.

Mr. COHN. Now, let's see if I understand this correctly.

After the war in Germany, there weren't newspapers; for a newspaper to come into existence, it was up to us to decide whether or not it should be licensed, to decide which people we should license, so that they could establish a newspaper, and then we would furnish them with plants and equipment and so on. You were press-control officer.

Mr. ARONSON. I was a press-control officer.

Mr. COHN. Yes. And your duty was to make surveys, go over and talk to these people, make surveys, and then make recommendations as to whether or not they were suitable licensees?

Mr. ARONSON. Well, the people were chosen, as I say, by these teams, and at times I did not even interview the men.

Mr. COHN. At times did you interview the men?

Mr. ARONSON. At times I did interview the men after they had been selected.

Mr. COHN. Did you ever make a recommendation as to which men or paper should be licensed?

Mr. ARONSON. I made recommendations as to whether the men who had been chosen fitted into the directives which were given to us over the signature of General Eisenhower.

Mr. COHN. Well, over the signature of General Eisenhower. General Eisenhower was overall commander at that time. Is that right?

Mr. ARONSON. Yes. They were directives which were issued by SHAEF.

Mr. COHN. Actually, General McClure was the one in charge; is that right.

Mr. ARONSON. He was chief of the Information Control Division, United States Army, which was the direct supervisory body.

The CHAIRMAN. Let us have the record clear. General Eisenhower had nothing to do with selecting you as a press-control officer. You never met him. Is that not true?

Mr. ARONSON. That is true.

The CHAIRMAN. I just wanted to make that clear in the record, that General Eisenhower had nothing to do with selecting you as a press control officer and that in fact you had never met him.

Mr. COHN. Mr. Aronson, as to how many newspapers did you make recommendations concerning which people should be licensed?

Mr. ARONSON. I would say about 4 or perhaps 5.

Mr. COHN. Were your recommendations followed in all cases?

Mr. ARONSON. Well, as I say, I reported on what people fitted into the general category of the directives, which was that they had to have a record of anti-Nazi activity, had nothing to do with the Nazi press.

Mr. COHN. I don't think you got my question.

The question was: Were your recommendations followed in all four cases?

Mr. ARONSON. Well, in general——

The CHAIRMAN. Were your recommendations followed?

Mr. COHN. We have the picture from you as to your duties.

Mr. ARONSON. I would like to tell you as exactly as possible. And actually my orders were handed over to my superiors, and in general the boards which were ultimately approved were approved by General McClure.

The CHAIRMAN. You said you recommended favorably in four cases?

Mr. ARONSON. Yes.

The CHAIRMAN. Were the licenses granted after you so recommended?

Mr. ARONSON. The licenses were.

The CHAIRMAN. And, unless those licenses were granted, the newspapers could not have operated?

Mr. ARONSON. That is correct, sir.

The CHAIRMAN. Were you a member of the Communist Party at that time?

Mr. ARONSON. I must decline to answer that question on the grounds of the fifth amendment.

The CHAIRMAN. You decline to answer on the ground that if you tell us the truth it might incriminate you?

Mr. ARONSON. I must decline to answer that question also, sir.

The CHAIRMAN. You will be ordered to answer that question.

(Mr. Dambroff confers with Mr. Aronson.)

Mr. ARONSON. I must decline to answer that question on the grounds that the answer I might give might tend to incriminate me under the fifth amendment.

The CHAIRMAN. You will be ordered to answer the question. You still decline. I will ask the committee to cite you for contempt. So that there is no misunderstanding as to the question, the question was, Are you refusing to answer whether you were a Communist at the time specified on the ground that if you were to tell us the truth that might tend to incriminate you?

For the benefit of counsel, a witness cannot refuse to testify if he feels that perjury might incriminate him. It is only if he feels that a truthful answer might incriminate him that he is allowed to decline.

I may say that you are ordered to answer, and if you do not I will take it up with the committee and will recommend that you be cited for contempt.

Mr. DAMEROFF. Will the Senator please hold that a minute while I discuss this matter with him?

The CHAIRMAN. I would be glad to.

(Mr. Dambroff confers with Mr. Aronson.)

Mr. ARONSON. Senator, any answer to any question you ask me here today will be the truth.

The CHAIRMAN. You may finish, sir.

Mr. ARONSON. Will you give me the question again?

The CHAIRMAN. The question is; Do you feel that, if you told the truth as to whether you were a Communist at the time in question, a truthful answer might tend to incriminate you?

Mr. ARONSON. The answer to that is "Yes."

The CHAIRMAN. Then you are entitled to the privilege.

Are you a member of the Communist Party as of today?

Mr. ARONSON. I must decline to answer that question on the same ground.

The CHAIRMAN. On the ground that if you were to tell us the truth that might tend to incriminate you?

Mr. ARONSON. The answer is "Yes."

The CHAIRMAN. Are you writing now under the direction of the Communist Party?

Mr. ARONSON. The answer is "No."

The CHAIRMAN. Are you writing on a Communist-controlled publication at this time?

Mr. ARONSON. I must decline to answer that question on the same ground.

The CHAIRMAN. Is it true that the editors of one of the papers that you recommended for a license was a member of the Communist Party at the time you recommended that paper for a license?

Mr. ARONSON. A member of one of the board of licensees which I surveyed and submitted a favorable recommendation on was a Communist. He was known to be a Communist by my superiors and by military government.

The CHAIRMAN. Is he still the editor of that paper?

Mr. ARONSON. He is not.

The CHAIRMAN. He is not, you say?

Mr. ARONSON. At least one of them is not.

I am sorry. I had nothing to do with this particular paper. The one paper in which I did submit a report had a Communist in the board of licensees, I believe there were seven. And, as far as I know, this man is no longer a member of the board of licensees.

The CHAIRMAN. Is it correct that the editor of one of the papers that were licensed was at that time a member of the Communist Party and is still the editor of the paper?

Mr. ARONSON. That is true. I had nothing to do with that particular paper, however.

The CHAIRMAN. What paper is that, and what is the name of the editor?

Mr. ARONSON. The paper is the Frankfurter Rundschau, and the editor's name is Arno Rudert, R-u-d-e-r-t. He was a Communist at the time. Whether he still is, I have no way of knowing.

The CHAIRMAN. And he is still the editor of the paper?

Mr. ARONSON. Yes. I believe his title is copublisher.

The CHAIRMAN. Mr. Counsel, can you tell us how much that paper has been subsidized by our Information Service?

Mr. COHN. I think, Mr. Chairman, that that is the most heavily subsidized of any newspaper. It is subsidized to the tune at the moment of 1,600,000 marks, which is about \$400,000.

The CHAIRMAN. And that information has been verified from the State Department, has it not?

Mr. COHN. Yes, it has, Mr. Chairman.

The CHAIRMAN. You may proceed, Mr. Counsel.

Mr. COHN. Now, Mr. Aronson, you were hired by OWI in July of 1945?

Mr. ARONSON. I believe it was May of 1945.

Mr. COHN. May of 1945. Did you receive a security clearance?

Mr. ARONSON. I did.

Mr. COHN. At the time you received a security clearance from OWI, were you a member of the Communist Party?

Mr. ARONSON. I decline to answer that question on the grounds of the fifth amendment.

Mr. COHN. Who hired you in the OWI?

Mr. ARONSON. The man through whom I applied for the job was a man named James Clark. I don't know whether his was the ultimate decision.

Mr. COHN. When did you leave Germany? When did you leave your position as a press-control officer?

Mr. ARONSON. I left in early March or middle March of 1946.

Mr. COHN. Did you leave voluntarily, or under charges, or what?

Mr. ARONSON. I left voluntarily.

Mr. COHN. You resigned voluntarily?

Mr. ARONSON. Yes.

Mr. COHN. Where did you go to work after that?

Mr. ARONSON. I returned to the job I had on the New York Post, from which I was on leave of absence.

The CHAIRMAN. On the what?

Mr. ARONSON. On the New York Post, sir.

Mr. COHN. When you were working for the New York Post, were you a member of the Communist Party?

Mr. ARONSON. I decline to answer that question, on the grounds of the fifth amendment.

Mr. COHN. Where did you go after you left the New York Post?

Mr. ARONSON. I went to work for the New York Times.

Mr. COHN. And when did you go to work for the New York Times?

Mr. ARONSON. The fall of 1946.

Mr. COHN. And how long did you remain with the New York Times?

Mr. ARONSON. I remained with the New York Times until the spring of 1948.

Mr. COHN. What position did you hold with the New York Times? Where did you work there?

Mr. ARONSON. I worked for the Sunday Times and I wrote for the News of the Week in Review.

Mr. COHN. While you were writing for the News of the Week in Review of the New York Times, were you a member of the Communist Party?

Mr. ARONSON. I decline to answer that question on the grounds of the fifth amendment.

Mr. COHN. Where did you go when you left the New York Times?

Mr. ARONSON. I continued to be a newspaperman.

Mr. COHN. With what publication?

Mr. ARONSON. I decline to answer that question, on the grounds of the fifth amendment.

Mr. COHN. Was it a Communist publication?

Mr. ARONSON. I decline to answer that question, on the grounds of the fifth amendment.

Mr. COHN. Where do you work today?

Mr. ARONSON. I decline to answer that question, also on the same grounds.

Mr. COHN. You work for the National Guardian today, do you not?

Mr. ARONSON. I decline to answer that question, on the same grounds.

Mr. COHN. Did you speak at a Communist rally within the last month and say that you were the one responsible for helping license what you described as democratic papers in Germany, and that this committee and the State Department are now attempting to make those papers reactionary?

Mr. ARONSON. I decline to answer that question, on the same grounds, Counsel.

Mr. COHN. Did you read an account in the Daily Worker of such a meeting at which you spoke?

Mr. ARONSON. I decline to answer that question, on the same grounds.

Mr. COHN. Mr. Chairman, I might state that we have sent for such an account, which I have read, and I believe showed to you, from the Daily Worker, and when it arrives I will ask permission to insert that in the record.

I wanted to ask the witness if he could name all four of the newspapers concerning which he made favorable recommendations for licenses.

You have given us the Frankfurter Rundschau.

Mr. ARONSON. I had nothing to do with the Frankfurter Rundschau. That was the paper I specifically said I did not—

Mr. COHN. That is the paper that had the Communist editor?

Mr. ARONSON. He was a Communist at the time the paper was licensed. Whether he is now, I do not know.

Mr. COHN. Concerning what papers did you make favorable recommendations?

Mr. ARONSON. There is the Hessische Nachrichten, H-e-s-s-i-s-c-h-e N-a-c-h-r-i-c-h-t-e-n.

Mr. COHN. Yes. What else?

Mr. ARONSON. The Rhein-Neckar-Zeitung, R-h-e-i-n-N-e-c-k-a-r-Z-e-i-t-u-n-g.

Mr. COHN. Were there any Communists on the Rhein-Neckar-Zeitung when you recommended that it be licensed?

Mr. ARONSON. There was a panel of three, including the man who is now the president of the German Republic, Theodore Heuss.

Mr. COHN. He was 1 of the 3?

Mr. ARONSON. He was 1 of the 3.

Mr. COHN. How about the other two?

Mr. ARONSON. One was a Communist.

Mr. COHN. What was his name?

Mr. ARONSON. His name was, I believe, Rudolf Agricola, R-u-d-o-l-f A-g-r-i-c-o-l-a.

Mr. COHN. Is he still with that paper, do you know?

Mr. ARONSON. I do not know. I doubt it.

Mr. COHN. What is the next paper?

Mr. ARONSON. The next paper is the Wiesbadener Kurier, W-i-e-s-b-a-d-e-n-e-r K-u-r-i-e-r.

I should like to state for the record, Counsel, that the directives under which we work had no specific reference at all to the question of hiring of Communists. The only restriction was that no member of the Nazi Party or no German who had ever had anything to do with Nazi publications was to be hired.

Mr. COHN. I understand that. There was no express prohibition against the hiring of Communists. Who would be licensed or who wouldn't be was a matter of discretion for you and your superiors to whom you recommended.

Mr. ARONSON. The ultimate decision, as I said, was that of General McClure.

Mr. COHN. Yes.

Senator SYMINGTON. If you refused to answer whether you are or are not a Communist, it would not make much difference to you whether there are Communists on that paper or not, would it, or any other paper?

Mr. ARONSON. Senator, I was following directives, and my opinion was not of value at the time.

Senator SYMINGTON. But it would not make any difference anyway, would it?

Mr. ARONSON. I must decline to answer that question, Senator.

The CHAIRMAN. You say you were following directives. Did you ever receive a directive to license papers or recommend the licensing of papers upon which there was a Communist editorial board?

Mr. ARONSON. No, sir. I don't believe I did.

The CHAIRMAN. So that when you recommended the licensing of a paper that had Communists on the editorial board, you were following no directive at that time, were you, unless it were a directive of the Communist Party?

Mr. ARONSON. Yes, there were no party papers permitted. The policy was to set up supraparty papers, composed of members of various political parties of all philosophies, or of no party at all.

The CHAIRMAN. Before you recommended a paper for licensing, did you discuss the matter with other members of the Communist Party? Strike the word "other." Members of the Communist Party?

Mr. ARONSON. No, sir; I did not.

The CHAIRMAN. You never discussed the matter with any members of the Communist Party?

Mr. ARONSON. No, sir; I did not, to the best of my knowledge.

The CHAIRMAN. Did you know Mr. Belfrage?

Mr. ARONSON. Yes, sir; I did.

The CHAIRMAN. Was Mr. Belfrage a member of the Communist Party?

Mr. ARONSON. I must decline to answer that question, sir.

The CHAIRMAN. On the ground that it might incriminate you?

Mr. ARONSON. Yes, sir.

The CHAIRMAN. Did you ever discuss the licensing of papers with Mr. Belfrage?

Mr. ARONSON. We worked together on only one newspaper. That was when I first arrived in Germany. I was sent up to Bremen to

observe the process of how applicants for license were questioned and screened. And I had no official function except as an observer. At that particular time, the paper that was licensed was the *Weser Kurier*, W-e-s-e-r K-u-r-i-e-r. And there were, among the applicants, members of various political parties.

The CHAIRMAN. Will you try and answer my question?

Mr. ARONSON. I am sorry. Would you repeat the question?

The CHAIRMAN. The question is: Did you discuss the licensing of any paper with Mr. Belfrage?

Mr. ARONSON. Just this one, sir.

The CHAIRMAN. You just got through telling us under oath that you never discussed the licensing of any paper with a member of the Communist Party. Do you want to change that testimony for your protection now, or not?

Mr. ARONSON. No, sir.

The CHAIRMAN. Your testimony is that you never discussed the licensing of any paper with a member of the Communist Party.

Mr. ARONSON. To the best of my knowledge, sir.

The CHAIRMAN. You did discuss the licensing with Mr. Belfrage?

Mr. ARONSON. Rather, he discussed it with me, because I was an observer.

The CHAIRMAN. Well, do you distinguish between a Communist discussing a matter with you, and your discussing it with him?

Mr. ARONSON. Well, excuse me, sir. May I consult counsel on that?

The CHAIRMAN. You may.

(Mr. Aronson confers with Mr. Dambroff.)

Mr. ARONSON. I would like to answer that question this way, Senator McCarthy. At that time I was new in Germany, and I knew nothing about the operation exactly, and while I had discussions with Mr. Belfrage on the processing, on the actual process of licensing, I did not discuss with him the question of the licensing of this paper.

The CHAIRMAN. Did you ever discuss with any Communist, or did any Communist ever discuss with you, the licensing of the papers or any of the circumstances surrounding the licensing of those papers?

Mr. ARONSON. The only discussions I had on questions of licensing with Communists were those who were known Communists, who had already been selected, that is, as members of a board of licensees.

The CHAIRMAN. When you say "known Communists," do you mean known to you as Communists?

Mr. ARONSON. Well, in their applications for the position as licensees, they had to state that they were Communists.

The CHAIRMAN. And it is your testimony that, aside from the applicants for license, you never discussed this matter of licensing papers with any Communists?

Mr. ARONSON. To the best of my knowledge, I did not, sir.

The CHAIRMAN. And you say that you knew Mr. Belfrage was a Communist?

Mr. ARONSON. I had no such knowledge whether Mr. Belfrage was or was not a Communist.

The CHAIRMAN. You did not know whether he was a Communist or not?

Mr. ARONSON. I did not.

The CHAIRMAN. Do you know now whether he was a Communist at that time?

Mr. ARONSON. I must decline to answer that question, sir, on the grounds of the fifth amendment.

The CHAIRMAN. When did you learn Mr. Belfrage was a Communist?

Mr. ARONSON. I must decline to answer that question also, sir.

The CHAIRMAN. Was Mr. Belfrage also one of the press officers?

Mr. ARONSON. He was a press control officer.

The CHAIRMAN. He was a press control officer, too?

Mr. ARONSON. Yes.

The CHAIRMAN. And he also had something to do with the licensing of papers?

Mr. ARONSON. He did, sir.

The CHAIRMAN. In fact, his job was almost identical to yours?

Mr. ARONSON. Well, there were certain similarities. He was not attached to headquarters. He was on one of the field teams, which helped to select licensees for various papers.

The CHAIRMAN. Aside from Mr. Belfrage, did you then or do you now know of any of the press control officers who were Communists?

Mr. ARONSON. To the best of my knowledge, I do not, sir.

The CHAIRMAN. It is your testimony that neither at the time you were press control officer nor at this time do you know of any other press control officers, aside from Mr. Belfrage, who were members of the Communist Party?

Mr. ARONSON. Well, as I said before, I had no knowledge as to Mr. Belfrage's political affiliations.

The CHAIRMAN. Let us forget about Mr. Belfrage. I am asking you about any other individuals.

Mr. ARONSON. I do not know, sir. To the best of my knowledge, I did not know, nor do I know now.

The CHAIRMAN. Pardon me. Senator Symington, I think you had some questions?

Senator SYMINGTON. I think you covered. Mr. Chairman, what I was going to ask.

I asked this witness yesterday in executive session if he thought he was a good American, and he said he did.

I would like to ask you again: How can you be a good American and be afraid or ashamed to come before this committee and tell them whether or not you are a member of the Communist Party today?

Mr. ARONSON. I must decline to answer that question, respectfully, sir.

Senator SYMINGTON. Do you think the Korean war is the fault of the United States or the fault of Soviet Russia?

Mr. ARONSON. I must decline to answer that question also, sir.

Senator SYMINGTON. Well, the presumption, if you would not answer that question, is that you believe it is the fault of the United States, is it not?

Mr. ARONSON. No, sir; I don't think that is the assumption.

Senator SYMINGTON. Then if you are a member of the Communist Party, you would be afraid to say in public that it was the fault of Soviet Russia, would you not?

Mr. ARONSON. I must decline to answer that question, sir.

Senator SYMINGTON. Well, I can understand that. Is this the first time in a public hearing anybody has ever asked you whether or not you were a Communist?

Mr. ARONSON. It is, sir.

Senator SYMINGTON. It is?

Mr. ARONSON. I believe it is.

Senator SYMINGTON. Do you not want to take this opportunity to tell the American people that you are a good American and not a member of the party?

Mr. ARONSON. I must decline to answer that question, sir.

The CHAIRMAN. I might say, Senator Symington, that if he were to say he were not a member of the Communist Party, we would promptly refer the case to the Justice Department for perjury action.

Just so the record will be clear, Mr. Counsel, is it correct that this man works on a completely Communist-controlled publication?

Mr. COHN. There has been testimony to that effect before the committee, Mr. Chairman.

I want to ask you this, Mr. Aronson. When you were writing for these newspapers you have mentioned, did any member of the Communist Party ever advise with you or discuss your writings, how you should write, how you should treat the news, certain people, or subjects?

Mr. ARONSON. No, sir; they did not.

Mr. COHN. Well, now, yesterday, when you were asked that same question, you declined to answer on the grounds of the fifth amendment. I want to know whether you are claiming your privilege in good faith or not.

Mr. ARONSON. I believe I answered the question yesterday. Would you like to read the question to me?

Mr. COHN. I read it exactly. I was quoting.

Mr. ARONSON. Will you say that again?

Mr. COHN. I was quoting directly from the testimony yesterday at page 6490.

The CHAIRMAN. When you were writing for any newspapers, did any member of the Communist Party ever advise with you or discuss your writings, how you should write, how you should treat the news, certain people or subjects?

Your answer was:

I must decline to answer that question, on the grounds of the fifth amendment.

Now, I want to know whether you are claiming that privilege in good faith, or whether you are using it as a subterfuge to avoid answering questions which might embarrass you?

May I pass that to counsel, so that he can see that? It is the last question on the page, and then on the first of the next page.

Mr. DAMBROFF. I suggest to counsel that he begin reading at the top of page 6489.

Mr. COHN. Did I read the question and answer verbatim?

Mr. DAMBROFF. You did, but you left out an entire page, which qualifies the entire answer.

The CHAIRMAN. The counsel apparently does not know the rules of the committee. You are entitled to discuss any matter with your client at any time you care to. You can advise him. If he wants to make suggestions to the committee upon your advice, he may do that. Under the rules of the committee, we do not have counsel take part in the proceedings. So if your client has anything to say, we will be glad to hear him, but not you.

Mr. ARONSON. Mr. Chairman, may I read the previous question to the one that counsel read?

The CHAIRMAN. You may read anything that you care to.

Mr. ARONSON. Thank you. May I read it out loud?

The CHAIRMAN. You may.

Mr. ARONSON. All right.

The CHAIRMAN. Were there ever any suggestions as to how you should treat the news in regard to certain matters, certain individuals, with any members of the Communist Party?

Mr. COHN. I don't follow you. Where are you reading?

Mr. ARONSON. Page 6490, line 1, 2, 3, 4,—

Mr. ARONSON. The answer to that question is also—no.

Mr. COHN. Did you ever discuss your work with any member of the Communist Party when you were with the Post or Times?

The CHAIRMAN. Your writings?

Mr. ARONSON. I must decline to answer that question on the grounds of the fifth amendment.

I still assert that, and I think the record can stand.

Mr. COHN. You still refuse to say whether or not you discussed your writings with members of the Communist Party when you were writing for the Post or the Times?

Mr. ARONSON. I decline to answer that question, on the grounds of the fifth amendment.

The CHAIRMAN. Will the reporter read back the question that the witness answered in the negative, the question asked by Mr. Cohn?

(The reporter reads as follows:)

Mr. COHN. * * * I want to ask you this, Mr. Aronson. When you were writing for these newspapers you have mentioned, did any member of the Communist Party ever advise with you or discuss your writings, how you should write, how you should treat the news, certain people or subjects?

Mr. ARONSON. No, sir; they did not.

The CHAIRMAN. Mr. Symington and counsel, may I suggest that yesterday the witness was asked the identical question. He was asked whether he felt if he gave a truthful answer it might tend to incriminate him. He then refused to answer the identical question, under the fifth amendment. Today his answer is "No." The answer of "No" would have been "No" yesterday. Therefore, when he was claiming the privilege yesterday, he was doing it dishonestly, in contempt of the committee.

I wonder what your thought on this is, Senator Symington? Do you follow me on this?

Senator SYMINGTON. It is a legal matter, Mr. Chairman.

The CHAIRMAN. I think it is a clear contempt of the committee. I am getting rather weary of these Communists coming before this committee and claiming the privilege when they are not entitled to it, and it is rather interesting to find one of them crossing himself up.

Let me ask you this question, Mr. Aronson. Yesterday, when you were asked this question—refer to your record, page 6490—the question by the chairman was:

When you were writing for any newspapers, did any member of the Communist Party ever advise with you or discuss your writings, how you should write, how you should treat the news, certain people or subjects?

You refused to answer that. The answer is:

Mr. ARONSON. I must decline to answer that question on the grounds of the fifth amendment.

When you declined yesterday, did you feel that a truthful answer to that question might tend to incriminate you?

(Mr. Dambroff confers with Mr. Aronson.)

Mr. ARONSON. Yes, that was so, Senator.

The CHAIRMAN. Yesterday, when you refused, you felt the answer might tend to incriminate you?

Mr. ARONSON. Yes, sir. And I would like to assert the privilege, by answering the same way, sir.

The CHAIRMAN. You have already answered "No" today.

Mr. ARONSON. I am sorry, Senator, I did not understand the question. I thought the question was: Was I ever under instructions to slant the news in any particular way? And the answer to that question, as it was yesterday, is "No."

The CHAIRMAN. You are asking for the right now to change the answer you made today?

Mr. ARONSON. Into declining to answer on the grounds of the fifth amendment.

The CHAIRMAN. You will not be granted that right. There is no such right under the fifth amendment, after you have answered a question and you have found that you have crossed yourself up. You have no right to correct the record. You will not be granted that right.

Mr. ARONSON. Senator, I am sorry, but I did not understand the question, and there was certainly no intent to confuse my answers. I want to give truthful answers.

The CHAIRMAN. That is up to the committee to determine. You will not be given any privilege to change that answer.

Mr. Counsel, do you have any further questions?

Proceed.

Mr. COHN. Who were your references for employment with the Office of War Information?

Mr. ARONSON. I don't recall at this time. I believe one of them was Edward J. Flynn, who was then executive editor of the New York Post, who is now deceased.

Mr. COHN. Yes. Can you recall any others?

Mr. ARONSON. I do not.

Mr. COHN. Did he know that you were a Communist?

Mr. ARONSON. I decline to answer that question, on the grounds of the fifth amendment.

Mr. COHN. Was he a Communist?

Mr. ARONSON. To the best of my knowledge, he was not.

Mr. COHN. Now, can you recall any other references?

Mr. ARONSON. I can't at the moment.

Mr. COHN. But in any event, your testimony is that you received security clearance from OWI, and at the time you received such clearance you were a member of the Communist Party. Is that right?

I am sorry. You declined to answer whether you were a member of the Communist Party.

Mr. ARONSON. At that time.

Mr. COHN. And you have have given us, I think, three newspapers. Is there a fourth? We have the Wiesbadener Kurier, the Rhein-Neckar-Zeitung, and the Hessische Nachrichten. Is there a fourth newspaper concerning which you made a favorable recommendation? Would that be the Tagesspiegel?

Mr. ARONSON. The Taggesspiegre in Berlin. And I was not on the scene, but I read the report that was submitted. I don't recall exactly. I believe that I recommended that the licensees who had been selected fitted into the directives.

Mr. COHN. And in all four cases, licenses were issued to the licensees you had surveyed?

Mr. ARONSON. Yes. That is correct.

Mr. COHN. And were you a member of the Communist Party at the time you made a recommendation in each one of those cases?

Mr. ARONSON. I decline to answer that question on the grounds of the fifth amendment.

Mr. COHN. I have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. You may step down.

You will consider yourself still under subpoena, Mr. Aronson, for call at such time as the committee may decide.

Mr. COHN. One more question.

Mr. Aronson, have you written any articles criticizing the court and jury in the atom-spy trial of Julius and Ethel Rosenberg?

Mr. ARONSON. I must decline to answer that question on the grounds of the fifth amendment.

Senator SYMINGTON. Do you think an injustice has been done in that case?

Mr. ARONSON. Excuse me, sir.

(Mr. Aronson confers with Mr. Dambroff.)

Senator SYMINGTON. Just a "yes" or "no" answer. You must have thought about it.

Mr. ARONSON. I believe enough evidence has been submitted——

Senator SYMINGTON. Just "yes" or "no." Do you think an injustice has been done?

Mr. ARONSON. I am sorry. I can't answer that question——

Senator SYMINGTON. You can't answer it on a "yes" or "no" basis? All right.

The CHAIRMAN. You may step down.

Mr. COHN. Mr. Cedric Belfrage.

Mr. Noto of the Immigration Department is here in response to your request, Mr. Chairman.

The CHAIRMAN. You have been sworn. You are reminded that you are still under oath.

I asked the Immigration Department to have a representative here present this morning, and I assume they will take the necessary action after your evidence has been reviewed.

Proceed, Mr. Counsel.

TESTIMONY OF CEDRIC HENNING BELFRAGE, ACCOMPANIED BY HIS COUNSEL, NATHAN DAMBROFF

Mr. BELFRAGE. May I ask that the lights be turned off?

The CHAIRMAN. If the witness does not want the lights, we will have to ask that they be turned off.

Mr. COHN. Mr. Belfrage, what is your full name, please?

Mr. BELFRAGE. Cedric Henning Belfrage.

Mr. COHN. B-e-l-f-r-a-g-e?

Mr. BELFRAGE. That is right.

Mr. COHN. And are you a resident in the United States at this time?

Mr. BELFRAGE. Yes, sir.

Mr. COHN. For how long a period of time have you resided in the United States?

The CHAIRMAN. May I interrupt? I am asking Mr. Symington to take over the chairmanship. I will have to leave for a while.

Mr. COHN. Mr. Belfrage, I believe the pending question is: For how long a period of time have you been residing in the United States?

Mr. BELFRAGE. I have been residing here as a resident alien since 1937.

Mr. COHN. Since 1937 as a resident alien. Now, between 1937 and 1953, that is, today, have you continuously been a member of the Communist Party?

Mr. BELFRAGE. Mr. Cohn, "Thou sayest it" is a famous answer to a similar trick question.

Mr. COHN. No, Mr. Belfrage. Would you please answer the question?

Mr. BELFRAGE. My answer is the equivalent, the modern equivalent, to it. I decline to answer on the grounds of the fifth amendment.

Mr. COHN. Are you today a member of the Communist Party?

Mr. BELFRAGE. My answer is the same. I decline to answer on the grounds of the fifth amendment.

Mr. COHN. Are you a citizen of the United States?

Mr. BELFRAGE. I am not.

Mr. COHN. Do you believe in the overthrow of the United States Government?

Mr. BELFRAGE. I decline to answer on the ground of the fifth amendment, Mr. Cohn.

Mr. COHN. I see. Now, were you a press-control officer—

Senator SYMINGTON. Let me ask you a question. You have been living here for 16 years?

Mr. BELFRAGE. That is correct.

Senator SYMINGTON. And you will not answer a question as to whether you believe the Government of this country should be overthrown?

Mr. BELFRAGE. In the context of this hearing, it is quite obvious that any answer I may give to that would be used to crucify me and other innocent persons. So I must decline.

Senator SYMINGTON. If you said you did not believe the Government should be overthrown, how could that be used to crucify you?

Mr. BELFRAGE. I think it is obvious to most people, sir, but I must decline to answer that question on the same grounds.

Mr. COHN. Now, were you press-control officer in Germany in 1945?

Mr. BELFRAGE. Yes, sir; I was.

Mr. COHN. As such, did you have the task of making surveys and reports and recommendations as to whether or not licenses should be granted to certain people to establish newspapers?

Mr. BELFRAGE. I did.

Mr. COHN. At that time were you a member of the Communist Party?

Mr. BELFRAGE. I decline to answer on the same grounds.

Mr. COHN. Would you lean forward a little? I have some trouble hearing.

Mr. BELFRAGE. I am sorry.

I decline to answer on the same grounds.

Mr. COHN. Now, by whom were you employed when you were in Germany in 1945 as a press-control officer?

Mr. BELFRAGE. I was under the command of the United States military.

Mr. COHN. Who gave you your job originally?

Mr. BELFRAGE. The British Ministry of Information.

Mr. COHN. The British Ministry of Information?

Mr. BELFRAGE. Yes.

Mr. COHN. At the time you were hired by the British Ministry of Information were you a member of the Communist Party?

Mr. BELFRAGE. I decline to answer on the same ground.

Mr. COHN. Now, concerning what newspapers did you make licensing recommendations?

Mr. BELFRAGE. The Aachener Nachrichten—

Mr. COHN. Would you spell that for us?

Mr. BELFRAGE. A-a-c-h-e-n-e-r N-a-c-h-r-i-c-h-t-e-n.

Mr. COHN. Yes?

Mr. BELFRAGE. The Frankfurter Rundschau, the paper in Kassel, which I don't recall the name of.

Mr. COHN. Now, at the time you recommended licensing of the Frankfurter Rundschau, were there any Communists who were to be licensees?

Mr. BELFRAGE. There were some recommended; yes, sir.

Mr. COHN. Do you remember their names?

Mr. BELFRAGE. Emil Carlebach.

Mr. COHN. Could you spell that for us?

Mr. BELFRAGE. C-a-r-l-e-b-a-c-h.

Mr. COHN. And who else?

Mr. BELFRAGE. Arno Rudert.

Mr. COHN. Is that R-u-d-e-r-t?

Mr. BELFRAGE. Correct.

Mr. COHN. I might state, Mr. Chairman, that this Frankfurter Rundschau is the one that is financed to the tune of 1,600,000 marks at the present time.

Do you know whether or not any of these Communists are still with that newspaper?

Mr. BELFRAGE. Arno Rudert is with the newspaper, but whether he is a Communist—I couldn't tell you that.

Mr. COHN. You know he was then, but you couldn't say whether he is now?

Mr. BELFRAGE. He publicly stated he was. He was recommended as a Communist to the High Command.

Mr. COHN. And you stated you do not know whether he is a Communist now?

Mr. BELFRAGE. I have no idea.

Mr. COHN. Where are you employed in the United States now, Mr. Belfrage?

Mr. BELFRAGE. I have to decline that question, on the grounds of the fifth amendment.

Mr. COHN. Do you know Elizabeth Bentley?

Mr. BELFRAGE. I decline to answer that question, on the grounds of the fifth amendment.

Mr. COHN. Have you ever engaged in espionage against the United States?

Mr. BELFRAGE. I decline to answer that question, on the grounds of the fifth amendment.

Mr. COHN. Do you decline to answer whether or not you have ever been engaged in espionage against the United States, whether or not you believe in the overthrow of our Government, whether or not you were a Communist when you were making licensing recommendations on newspapers some of which we are financing in Germany today, and you have been in this country since 1937 as a resident alien. I would be very much interested in knowing this: When you entered this country, when did you enter the last time?

Mr. BELFRAGE. 1945.

Mr. COHN. Was any inquiry made of you by immigration, or in any form you had to fill out, as to whether you believed in the overthrow of our Government?

Mr. BELFRAGE. I don't recall what the questions were. I presume I filled out some kind of a form.

Mr. COHN. Did you answer all the questions truthfully?

Mr. BELFRAGE. I refuse to answer, on the ground of the fifth amendment.

Mr. COHN. Have you ever had a hearing before the Immigration and Naturalization Service?

Mr. BELFRAGE. I have not. I have been to visit them, but I did not get a hearing.

Mr. COHN. When did you go to visit them?

Mr. BELFRAGE. About 2 or 3 years ago. I went with my attorney, Mr. Dambroff, who is here. I was asked to go up to the headquarters of the Immigration and Naturalization Service at Columbus Circle, I believe—or Columbus Avenue.

Mr. COHN. Yes. And what happened?

Mr. BELFRAGE. We were seen by a man, whose name I don't remember, who said that they proposed to make an investigation of myself. And they wanted to know whether we would answer questions. And it was my attorney—I think I may have said it was I, but he said that would depend on what the questions were about. And he said, "They will be about your writings and your associations." And he, I think quite properly, said that we would not answer such questions. And we then were told that we would be recalled there at some future time. That was the last that we heard of it.

Mr. COHN. And when was this?

Mr. BELFRAGE. About 2 to 3 years ago, but I am afraid I can't remember the exact date.

Mr. COHN. So they said they proposed to ask you certain questions, and you, through your counsel, said you did not think they should, and you were not going to answer the questions, and then they just thought it was all right, and you never heard from them again?

Mr. BELFRAGE. They did not indicate that they thought it was all right. They indicated they were going to proceed with an investigation.

Mr. COHN. Well, were you ever called back?

Mr. BELFRAGE. No; I was not.

Mr. COHN. Do you know whether they have proceeded with an investigation?

Mr. BELFRAGE. I have no idea.

Mr. COHN. Do you write for a Communist-controlled publication today?

Mr. BELFRAGE. I decline to answer, on the ground of the fifth amendment.

Mr. COHN. Mr. Chairman, we have Mr. Noto, of the Immigration Service here today, and I wonder: Senator McCarthy had in mind requesting the Immigration Service to see if something cannot be done immediately about this man, who refuses to say whether or not he believes in the overthrow of our Government, whether he is engaged in espionage against this country, and who has been staying here in this country since 1937, enjoying all the privileges and benefits of this country as a resident alien, and refusing to answer the questions, as he does here. It seems like a highly unusual situation, to say the very least.

Mr. BELFRAGE. May I make a statement?

Mr. COHN. I was addressing myself to the chairman.

Senator SYMINGTON. I think you better just answer the questions.

Mr. BELFRAGE. I don't think there was a question. But I would like to say one thing.

Senator SYMINGTON. I would like to ask you one question.

That is: Why you think you have a right to, apparently, believe in the overthrow of this Government while you have taken advantage of living in the United States for the last 16 years? That is the question I would like to ask you. And I think if you want to consult with your counsel, all right, but I do not think your counsel ought to be constantly prompting you.

(Mr. Belfrage confers with Mr. Dambroff.)

Mr. BELFRAGE. The answer to that, sir, is that I cherish the Bill of Rights, and I think I interpret the fifth amendment correctly when I say that it was designed for the protection of the innocent, and I use it as such. It is that innocence that I am seeking to protect.

Senator SYMINGTON. You think you are completely innocent?

Mr. BELFRAGE. That is my statement.

Mr. COHN. When you came to this country as a resident alien the last time, or at any time, I would be most interested to know what questions you were asked concerning whether or not you believe in the overthrow of this Government, concerning your loyalty to this country.

Mr. BELFRAGE. I don't recollect the questions at all.

Senator SYMINGTON. Was there any question asked you at that time with respect to your political affiliation?

Mr. BELFRAGE. I don't recall, sir.

Senator SYMINGTON. Did the form show that, Counsel?

Mr. COHN. I wonder if Mr. Noto couldn't enlighten us on that, Mr. Chairman.

Mr. NOTO. I might say this, that there are questions that are pertinent along the lines of your interrogation that appear on an application for visa entry into the United States.

Mr. COHN. Now, what would be the question on the visa?

Mr. NOTO. I don't recall the exact terminology of it, but my recollection of it is that it is a question designed to ask whether or not you believe in the overthrow of the United States Government by force

and violence, whether or not you belong to any organization that advocates the overthrow of the Government.

Mr. COHN. All right.

Now, Mr. Belfrage, do you belong to any organization which advocates the overthrow of the Government of the United States by force and violence?

Mr. BELFRAGE. I have to decline to answer that.

Mr. COHN. Do you, yourself, believe in the overthrow of the United States Government by force and violence?

Mr. BELFRAGE. I have to decline to answer that.

Senator SYMINGTON. Would he have been allowed to enter the United States if he did say he believed in the overthrow of the United States Government by force and violence?

Mr. NOTO. No, sir.

Mr. COHN. Would he be permitted in if he refused to answer, saying, "I refuse to fill out this form"?

Mr. NOTO. I am afraid I cannot answer that question, because that depends on the State Department.

They are charged with the obligation of the issuance of visa.

Mr. COHN. That is purely a matter for the State Department. Is that correct?

Mr. NOTO. That is right.

Mr. COHN. Who in the State Department would have charge of that?

Mr. NOTO. The Visa Division.

Mr. COHN. Mr. Chairman, could we communicate with the Visa Division of the State Department?

Senator SYMINGTON. I think that would be a good idea; right now, as soon as we can.

Mr. COHN. And determine just what the situation is on that?

And I understand from Mr. Noto that the Immigration and Naturalization Service has this case under advisement, and I would recommend, Mr. Chairman, that it be given immediate attention, and that we ask them to keep this committee very closely advised as to what prompt action they can take to eliminate this man from the shores of this country, in view of his testimony here this morning, and in view of testimony he has given on other occasions and in other places.

I will ask you this. Do you know James Aronson, who testified just prior to your testimony?

Mr. BELFRAGE. Yes.

Mr. COHN. Do you know whether or not Mr. Aronson is a member of the Communist Party?

Mr. BELFRAGE. I decline to answer, on the ground of the fifth amendment.

Mr. COHN. Did you know Mr. Aronson in Germany when you were both press control officers?

Mr. BELFRAGE. I did.

Mr. COHN. Were you a member of the Communist Party then?

Mr. BELFRAGE. I decline to answer, on the ground of the fifth amendment.

Mr. COHN. Was he?

Mr. BELFRAGE. I had no idea what he was.

Mr. COHN. I see. That is 1945. Was he a member of the Communist Party in 1946?

Mr. BELFRAGE. I decline to answer, on the ground of the fifth amendment.

Mr. COHN. Well, was he a member of the Communist Party in December of 1945?

Mr. BELFRAGE. I wasn't even seeing him in December 1945.

Mr. COHN. When did you last see him in '45?

Mr. BELFRAGE. In September.

Mr. COHN. Was he a member of the Communist Party then?

Mr. BELFRAGE. I had no idea. I was with him in Germany all together for a period of about 6 weeks.

Senator SYMINGTON. Let me ask you a question. Do you think you should have the right to stay in the United States if, when you are asked in a public hearing whether or not you would like to overthrow our Government, you say you decline to answer?

Mr. BELFRAGE. I would like to consult with counsel, if I may, Mr. Chairman.

(Mr. Belfrage confers with Mr. Dambroff.)

Mr. BELFRAGE. Mr. Chairman, I would like to say to that question that the answer is emphatically "Yes." Implications against me have been made in this committee, and also in the Velde committee last week.

Senator SYMINGTON. I do not know about the Velde committee, but we have not made any implications against you. I just want you to answer the question.

Mr. BELFRAGE. Well, I am answering the questions, Mr. Chairman.

Senator SYMINGTON. What is the answer to the question?

Mr. BELFRAGE. The answer to the question is emphatically "Yes."

Senator SYMINGTON. "Emphatically, yes."

Mr. BELFRAGE. Until these charges are proved in a proper way, in a proper court, I do not regard anybody as having the right to take any such action.

Senator SYMINGTON. But the question is very simple. The question is: First, are you a member of the Communist Party?

Secondly, do you believe in the overthrow of the United States Government?

And third, if you will not answer either of those questions: Whether or not you think you have the right to take the advantages of living in America as an alien resident?

Mr. BELFRAGE. Yes, sir; I do. Because I believe that any answer I might give would be used to crucify me.

Senator SYMINGTON. What do you think would happen to you in the Soviet Union if you got up in front of an investigating committee and said you refused to answer whether or not you had engaged in espionage against the Soviet Union?

Mr. BELFRAGE. I haven't the faintest idea, Mr. Chairman. I am interested in the situation here, not in the Soviet Union.

Senator SYMINGTON. You have no idea at all what would happen to you if you did that in the Soviet Union?

Mr. BELFRAGE. No idea.

Mr. COHN. Do you think that they would extend your visa?

Mr. BELFRAGE. I have no idea.

Senator SYMINGTON. Well, I think personally if you have been over here for 16 years and have taken the advantages of the American way of life and are either afraid or ashamed to say that you do or

do not believe in the overthrow of the American Government, the sooner you leave the shores of the United States the better it would be for the United States.

Mr. BELFRAGE. Mr. Chairman, I resent and repudiate the suggestion that I am afraid or ashamed of anything.

Senator SYMINGTON. You may resent it. But we have had a lot of people like you before this committee. And those who have been Communists and said they were, said they were sorry, said they thought now it was better to be Americans and not be members of the party, are one thing. But those who come up like you do, especially as an alien, and refuse to answer the questions of the committee—I hope you leave the shores of our country as soon as possible.

Mr. COHN. I have no further questions of this witness, Mr. Chairman.

Mr. Chairman, we have no further witnesses for the morning.

I wonder if we could adjourn subject to call?

Senator SYMINGTON. I think we ought to look into the question of how this man got into the United States and what the questions were that he answered when he got in, and how he answered them.

Mr. COHN. We will ask, Mr. Chairman. According to your direction, we will ask for an immediate report from the Visa Division of the State Department and a report from the Immigration Service, and I think we can ask that his visa application be produced.

Mr. Chairman, would you state to the witness that he remain under subpoena subject to the call of the committee until we get this further information?

Senator SYMINGTON. Will you please remain under subpoena, subject to the call of the committee?

Mr. DAMBROFF. You do not want us to remain here?

Mr. COHN. No, not in the room. We will communicate with you. But you are both still under the subpoena of the committee.

Mr. DAMBROFF. Thank you very much.

(Whereupon at 11:55 a. m. the hearing was recessed, subject to the call of the Chair.)

APPENDIX

EXHIBITS

EXHIBIT No. 35

[Excerpt]

THE NEGRO PEOPLE IN AMERICA

(New York, 1946, International Publishers Co., Inc.)

By Herbert Aptheker

This critique of a large and imposing study of the Negro question is published just when the postwar drive of reaction against the Negro people is approaching a stage of crisis.

The wartime fair employment practice program of the Federal Government has been repudiated. Poll tax repeal legislation has again been blocked. The War Department has reaffirmed and strengthened the Jim Crow policy of the Army.

A police officer in Freeport, Long Island, lined 4 Negro brothers against a wall and shot them without warrant, killing 2 veterans and wounding another. An armed expedition of State and local police in Columbia, Tenn., angered because Negro citizens repulsed a lynch mob the night before, invaded the Negro section at dawn, guns ablaze, and destroyed every business establishment and almost every home in the area.

A United States Senator and the Governor of a State won primary nominations (with assurance of election) on "white supremacy" platforms calling for the disfranchisement and violent oppression of Negro citizens. The Ku Klux Klan rides again. A wave of anti-Negro police brutality is mounting in northern industrial cities. Lynch terror stalks across the South, and most of its victims are Negro veterans but recently returned from the war.

This whole reactionary trend was horribly dramatized before the world by the planned, cold-blooded murder of two Negro sharecroppers and their wives in Walton County, Ga., and the killing of another farm worker nearby, a veteran, the lone Negro citizen in Taylor County who defied the Talmadge-inspired campaign of terror and voted in the primary elections. Moreover, hardly a week passes without some new revelation that lynch terror has claimed another Negro victim.

The Negro question has now become one of the most crucial and fundamental issues confronting our Nation. Not only are the lives and liberties of 14 million Negro citizens in dire jeopardy but the Fascist pattern of terror by which they are oppressed threatens to spread and destroy the freedom of all Americans (from introduction, Doxey A. Wilkerson, p. 7-8).

[Excerpt]

ESSAYS IN THE HISTORY OF THE AMERICAN NEGRO

(New York, 1945, International Publishers Co., Inc.)

By Herbert Aptheker

Yet the fight for Negro rights was not ended by the Hayes-Tilden episode of 1877. It continued thereafter, and today is being carried on as never before with the aid of the labor and progressive movement. Based on the solid foundation of black and white unity, the present struggle for Negro rights is bound up with the battle for democracy. The alliance between Negro and white is a natural and firm one capable of accomplishing the unfinished tasks of revolutionary reconstruction (p. 205).

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